

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

*Blackfeet Tribe of the Blackfeet Indian
Reservation v. Amerisourcebergen Drug
Corporation, et. al.*

Case No. 1:18-op-45749

**MDL No. 2804
Case No. 1:17-md-2804
(Hon. Dan Aaron Polster)**

**THE SMITH'S FOOD & DRUG CENTERS, INC. d/b/a PEYTON'S PHOENIX'S
ANSWERS TO THE CORRECTED FIRST AMENDED COMPLAINT**

Defendant, Smith's Food & Drug Centers, Inc. d/b/a Peyton's Phoenix's ("Smith's"), by undersigned counsel, answers the Corrected First Amended Complaint ("Complaint") as follows:

Preliminary Statement

The following comments and objections are incorporated, to the extent appropriate, into each numbered paragraph of this Answer.

A. To the extent the Complaint's allegations refer to the knowledge, conduct, or actions of persons or entities other than Smith's, Smith's is without knowledge or information sufficient to form a belief as to the truth of those allegations, and, on that basis, denies all such allegations. Smith's states that it is answering Plaintiff's allegations solely on behalf of itself, even though Plaintiff's allegations purport to refer to alleged conduct by Smith's and other entities.

B. Smith's does not contest that there is an opioid crisis that needs close attention; however, Smith's' overriding contentions in this Answer is simply that it is not responsible or liable for this crisis.

C. All subparts, footnotes, headings, or graphical addenda in Paragraphs in the Complaint are treated as part of the Paragraph that is being responded to, and are not separately dealt with. To the extent these materials need to be specifically addressed, Smith's denies them.

D. Smith's denies each allegations contained in the Complaint, except as specifically admitted, and any factual averment admitted herein is admitted only as to the specific facts and not as to any conclusions, characterizations, implications, innuendos, or speculation contained in any averment or in the Complaint, as a whole.

E. The Complaint contains references documents, third-party publications, and statements that are excerpted, paraphrased and characterized. Such references should be considered, if at all, in context and in unmodified form, and Smith's respectfully refers the Court to the respective materials for their complete contents. Smith's further asserts that all such documents speak for themselves, and Smith's denies any characterizations thereof.

F. The Complaint, on occasions, uses vague and ambiguous language, like "substantial," "multiple sources," and an undefined "etc." On such occasions, Smith's has no recourse but to deny those allegations, based on imprecise terminology.

G. Smith's reserves the right to seek to amend and supplement its Answer as may be appropriate or necessary.

The paragraphs below answer the correspondingly numbered paragraphs of the Complaint.

1. Smith's denies the allegations in Paragraph 1 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1 and, on that basis, denies those allegations.

2. Paragraph 2 of the Complaint contains a statement rather than an allegation and, hence, no response is required. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue. To the extent Paragraph 2 contains factual allegations against Smith's, Smith's denies those allegations.

3. Smith's denies the allegations in Paragraph 3 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 3 and, on that basis, denies those allegations.

4. Paragraph 4 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 4 contains factual allegations against Smith's, Smith's denies those allegations.

5. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 of the Complaint and, on that basis, denies those allegations.

6. Paragraph 6 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 6 contains factual allegations against Smith's, Smith's denies those allegations.

7. Paragraph 7 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 7 contains factual allegations against Smith's, Smith's denies those allegations.

8. Paragraph 8 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 8 contains factual allegations against Smith's, Smith's denies those allegations.

9. Smith's denies the allegations in Paragraph 9 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 9 and, on that basis, denies those allegations.

10. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10 of the Complaint and, on that basis, denies those allegations.

11. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 of the Complaint and, on that basis, denies those allegations.

12. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12 of the Complaint and, on that basis, denies those allegations.

13. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13 of the Complaint and, on that basis, denies those allegations.

14. Smith's denies the allegations in Paragraph 14 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 14 and, on that basis, denies those allegations.

15. Smith's denies the allegations in Paragraph 15 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 15 and, on that basis, denies those allegations.

16. Smith's denies the allegations in Paragraph 16 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 16 and, on that basis, denies those allegations.

17. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 17 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 17 and, on that basis, denies those allegations.

18. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 18 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 18 and, on that basis, denies those allegations.

19. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 19 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 19 and, on that basis, denies those allegations.

20. Smith's denies the allegations in Paragraph 20 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 20 and, on that basis, denies those allegations.

21. Smith's denies the allegations in Paragraph 21 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 21 and, on that basis, denies those allegations.

22. Paragraph 22 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 22 contains factual allegations against Smith's, Smith's denies those allegations.

23. Smith's denies the allegations in Paragraph 23 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 23 and, on that basis, denies those allegations.

24. Paragraph 24 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 24 contains factual allegations against Smith's, Smith's denies those allegations.

25. Paragraph 25 of the Complaint states legal conclusions and, hence, no response is required, and further denies that subject matter jurisdiction is proper in this Court.

26. Paragraph 26 of the Complaint states legal conclusions and, hence, no response is required. Smith's denies the allegations in Paragraph 26 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 26 and, on that basis, denies those allegations.

27. Paragraph 27 of the Complaint states legal conclusions and, hence, no response is required, Smith's denies the allegations in Paragraph 27 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 27 and, on that basis, denies those allegations.

28. Paragraph 28 of the Complaint states legal conclusions and, hence, no response is required, and further denies that venue is proper as asserted.

29. Paragraph 29 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 29 contains factual allegations against Smith's, Smith's denies those allegations.

30. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30 of the Complaint and, on that basis, denies those allegations.

31. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 31 of the Complaint and, on that basis, denies those allegations.

32. Smith's denies the allegations in Paragraph 32 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 32 and, on that basis, denies those allegations.

33. Smith's denies the allegations in Paragraph 33 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 33 and, on that basis, denies those allegations.

34. Smith's denies the allegations in Paragraph 34 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 34 and, on that basis, denies those allegations.

35. Smith's denies the allegations in Paragraph 35 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 35 and, on that basis, denies those allegations.

36. Smith's denies the allegations in Paragraph 36 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 36 and, on that basis, denies those allegations.

37. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 37 of the Complaint and, on that basis, denies those allegations.

38. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38 of the Complaint and, on that basis, denies those allegations.

39. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 39 of the Complaint and, on that basis, denies those allegations.

40. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40 of the Complaint and, on that basis, denies those allegations.

41. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 41 of the Complaint and, on that basis, denies those allegations.

42. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 42 of the Complaint and, on that basis, denies those allegations.

43. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 43 of the Complaint and, on that basis, denies those allegations.

44. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 44 of the Complaint and, on that basis, denies those allegations.

45. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 45 of the Complaint and, on that basis, denies those allegations.

46. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 46 of the Complaint and, on that basis, denies those allegations.

47. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 47 of the Complaint and, on that basis, denies those allegations.

48. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 48 of the Complaint and, on that basis, denies those allegations.

49. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 49 of the Complaint and, on that basis, denies those allegations.

50. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 50 of the Complaint and, on that basis, denies those allegations.

51. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 51 of the Complaint and, on that basis, denies those allegations.

52. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 52 of the Complaint and, on that basis, denies those allegations.

53. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 53 of the Complaint and, on that basis, denies those allegations.

54. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 54 of the Complaint and, on that basis, denies those allegations.

55. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 55 of the Complaint and, on that basis, denies those allegations.

56. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 56 of the Complaint and, on that basis, denies those allegations.

57. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 57 of the Complaint and, on that basis, denies those allegations.

58. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 58 of the Complaint and, on that basis, denies those allegations.

59. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 59 of the Complaint and, on that basis, denies those allegations.

60. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 60 of the Complaint and, on that basis, denies those allegations.

61. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 61 of the Complaint and, on that basis, denies those allegations.

62. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 62 of the Complaint and, on that basis, denies those allegations.

63. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 63 of the Complaint and, on that basis, denies those allegations.

64. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 64 of the Complaint and, on that basis, denies those allegations.

65. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 65 of the Complaint and, on that basis, denies those allegations.

66. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 66 of the Complaint and, on that basis, denies those allegations.

67. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 67 of the Complaint and, on that basis, denies those allegations.

68. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 68 of the Complaint and, on that basis, denies those allegations.

69. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 69 of the Complaint and, on that basis, denies those allegations.

70. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 70 of the Complaint and, on that basis, denies those allegations.

71. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 71 of the Complaint and, on that basis, denies those allegations.

72. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 72 of the Complaint and, on that basis, denies those allegations.

73. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 73 of the Complaint and, on that basis, denies those allegations.

74. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 74 of the Complaint and, on that basis, denies those allegations.

75. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 75 of the Complaint and, on that basis, denies those allegations.

76. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 76 of the Complaint and, on that basis, denies those allegations.

77. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 77 of the Complaint and, on that basis, denies those allegations.

78. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 78 of the Complaint and, on that basis, denies those allegations.

79. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 79 of the Complaint and, on that basis, denies those allegations.

80. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 80 of the Complaint and, on that basis, denies those allegations.

81. Smith's denies the allegations in Paragraph 81 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 81 and, on that basis, denies those allegations.

82. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 82 of the Complaint and, on that basis, denies those allegations.

83. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 83 of the Complaint and, on that basis, denies those allegations.

84. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 84 of the Complaint and, on that basis, denies those allegations.

85. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 85 of the Complaint and, on that basis, denies those allegations.

86. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 86 of the Complaint and, on that basis, denies those allegations.

87. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 87 of the Complaint and, on that basis, denies those allegations.

88. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 88 of the Complaint and, on that basis, denies those allegations.

89. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 89 of the Complaint and, on that basis, denies those allegations.

90. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 90 of the Complaint and, on that basis, denies those allegations.

91. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 91 of the Complaint and, on that basis, denies those allegations.

92. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 92 of the Complaint and, on that basis, denies those allegations.

93. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 93 of the Complaint and, on that basis, denies those allegations.

94. Smith's admits that it is an Ohio corporation, with its principal place of business in Ohio, and admits that it is a subsidiary of The Kroger Co., but denies the remaining allegation in Paragraph 94 of the Complaint.

95. Paragraph 95 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 95 contains factual allegations against Smith's, Smith's denies those allegations.

96. Smith's denies that it is a "Distributor Defendant," and is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 96 of the Complaint and, on that basis, denies those allegations.

97. Smith's denies the allegations in Paragraph 97 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 97 and, on that basis, denies those allegations.

98. Smith's denies the allegations in Paragraph 98 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 98 and, on that basis, denies those allegations.

99. Paragraph 99 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 99 contains factual allegations against Smith's, Smith's denies those allegations.

100. Paragraph 100 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 100 contains factual allegations against Smith's, Smith's denies those allegations.

101. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 101 of the Complaint and, on that basis, denies those allegations.

102. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 102 of the Complaint and, on that basis, denies those allegations.

103. Paragraph 103 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 103 contains factual allegations against Smith's, Smith's denies those allegations.

104. Paragraph 104 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 104 contains factual allegations against Smith's, Smith's denies those allegations.

105. Paragraph 105 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 105 contains factual allegations against Smith's, Smith's denies those allegations.

106. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 106 of the Complaint and, on that basis, denies those allegations.

107. Paragraph 107 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 107 contains factual allegations against Smith's, Smith's denies those allegations.

108. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 108 of the Complaint and, on that basis, denies those allegations.

109. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 109 of the Complaint and, on that basis, denies those allegations.

110. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 110 of the Complaint and, on that basis, denies those allegations.

111. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 111 of the Complaint and, on that basis, denies those allegations.

112. Paragraph 112 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 112 contains factual allegations against Smith's, Smith's denies those allegations.

113. Paragraph 113 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 113 contains factual allegations against Smith's, Smith's denies those allegations.

114. Paragraph 114 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 114 contains factual allegations against Smith's, Smith's denies those allegations.

115. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 115 of the Complaint and, on that basis, denies those allegations.

116. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 116 of the Complaint and, on that basis, denies those allegations.

117. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 117 of the Complaint and, on that basis, denies those allegations.

118. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 118 of the Complaint and, on that basis, denies those allegations.

119. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 119 of the Complaint and, on that basis, denies those allegations.

120. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 120 of the Complaint and, on that basis, denies those allegations.

121. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 121 of the Complaint and, on that basis, denies those allegations.

122. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 122 of the Complaint and, on that basis, denies those allegations.

123. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 123 of the Complaint and, on that basis, denies those allegations.

124. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 124 of the Complaint and, on that basis, denies those allegations.

125. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 125 of the Complaint and, on that basis, denies those allegations.

126. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 126 of the Complaint and, on that basis, denies those allegations.

127. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 127 of the Complaint and, on that basis, denies those allegations.

128. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 128 of the Complaint and, on that basis, denies those allegations.

129. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 129 of the Complaint and, on that basis, denies those allegations.

130. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 130 of the Complaint and, on that basis, denies those allegations.

131. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 131 of the Complaint and, on that basis, denies those allegations.

132. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 132 of the Complaint and, on that basis, denies those allegations.

133. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 133 of the Complaint and, on that basis, denies those allegations.

134. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 134 of the Complaint and, on that basis, denies those allegations.

135. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 135 of the Complaint and, on that basis, denies those allegations.

136. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 136 of the Complaint and, on that basis, denies those allegations.

137. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 137 of the Complaint and, on that basis, denies those allegations.

138. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 138 of the Complaint and, on that basis, denies those allegations.

139. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 139 of the Complaint and, on that basis, denies those allegations.

140. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 140 of the Complaint and, on that basis, denies those allegations.

141. Smith's denies the allegations in Paragraph 141 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 141 and, on that basis, denies those allegations.

142. Smith's denies the allegations in Paragraph 142 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 142 and, on that basis, denies those allegations.

143. Smith's denies the allegations in Paragraph 143 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 143 and, on that basis, denies those allegations.

144. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 144 of the Complaint and, on that basis, denies those allegations.

145. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 145 of the Complaint and, on that basis, denies those allegations.

146. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 146 of the Complaint and, on that basis, denies those allegations.

147. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 147 of the Complaint and, on that basis, denies those allegations.

148. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 148 of the Complaint and, on that basis, denies those allegations.

149. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 149 of the Complaint and, on that basis, denies those allegations.

150. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 150 of the Complaint and, on that basis, denies those allegations.

151. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 151 of the Complaint and, on that basis, denies those allegations.

152. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 152 of the Complaint and, on that basis, denies those allegations.

153. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 153 of the Complaint and, on that basis, denies those allegations.

154. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 154 of the Complaint and, on that basis, denies those allegations.

155. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 155 of the Complaint and, on that basis, denies those allegations.

156. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 156 of the Complaint and, on that basis, denies those allegations.

157. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 157 of the Complaint and, on that basis, denies those allegations.

158. Smith's denies the allegations in Paragraph 158 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 158 and, on that basis, denies those allegations.

159. Paragraph 159 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 159 contains factual allegations against Smith's, Smith's denies those allegations.

160. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 160 of the Complaint and, on that basis, denies those allegations.

161. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 161 of the Complaint and, on that basis, denies those allegations.

162. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 162 of the Complaint and, on that basis, denies those allegations.

163. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 163 of the Complaint and, on that basis, denies those allegations.

164. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 164 of the Complaint and, on that basis, denies those allegations.

165. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 165 of the Complaint and, on that basis, denies those allegations.

166. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 166 of the Complaint and, on that basis, denies those allegations.

167. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 167 of the Complaint and, on that basis, denies those allegations.

168. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 168 of the Complaint and, on that basis, denies those allegations.

169. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 169 of the Complaint and, on that basis, denies those allegations.

170. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 170 of the Complaint and, on that basis, denies those allegations.

171. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 171 of the Complaint and, on that basis, denies those allegations.

172. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 172 of the Complaint and, on that basis, denies those allegations.

173. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 173 of the Complaint and, on that basis, denies those allegations.

174. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 174 of the Complaint and, on that basis, denies those allegations.

175. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 175 of the Complaint and, on that basis, denies those allegations.

176. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 176 of the Complaint and, on that basis, denies those allegations.

177. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 177 of the Complaint and, on that basis, denies those allegations.

178. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 178 of the Complaint and, on that basis, denies those allegations.

179. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 179 of the Complaint and, on that basis, denies those allegations.

180. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 180 of the Complaint and, on that basis, denies those allegations.

181. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 181 of the Complaint and, on that basis, denies those allegations.

182. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 182 of the Complaint and, on that basis, denies those allegations.

183. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 183 of the Complaint and, on that basis, denies those allegations.

184. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 184 of the Complaint and, on that basis, denies those allegations.

185. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 185 of the Complaint and, on that basis, denies those allegations.

186. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 186 of the Complaint and, on that basis, denies those allegations.

187. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 187 of the Complaint and, on that basis, denies those allegations.

188. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 188 of the Complaint and, on that basis, denies those allegations.

189. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 189 of the Complaint and, on that basis, denies those allegations.

190. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 190 of the Complaint and, on that basis, denies those allegations.

191. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 191 of the Complaint and, on that basis, denies those allegations.

192. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 192 of the Complaint and, on that basis, denies those allegations.

193. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 193 of the Complaint and, on that basis, denies those allegations.

194. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 194 of the Complaint and, on that basis, denies those allegations.

195. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 195 of the Complaint and, on that basis, denies those allegations.

196. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 196 of the Complaint and, on that basis, denies those allegations.

197. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 197 of the Complaint and, on that basis, denies those allegations.

198. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 198 of the Complaint and, on that basis, denies those allegations.

199. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 199 of the Complaint and, on that basis, denies those allegations.

200. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 200 of the Complaint and, on that basis, denies those allegations.

201. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 201 of the Complaint and, on that basis, denies those allegations.

202. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 202 of the Complaint and, on that basis, denies those allegations.

203. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 203 of the Complaint and, on that basis, denies those allegations.

204. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 204 of the Complaint and, on that basis, denies those allegations.

205. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 205 of the Complaint and, on that basis, denies those allegations.

206. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 206 of the Complaint and, on that basis, denies those allegations.

207. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 207 of the Complaint and, on that basis, denies those allegations.

208. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 208 of the Complaint and, on that basis, denies those allegations.

209. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 209 of the Complaint and, on that basis, denies those allegations.

210. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 210 of the Complaint and, on that basis, denies those allegations.

211. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 211 of the Complaint and, on that basis, denies those allegations.

212. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 212 of the Complaint and, on that basis, denies those allegations.

213. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 213 of the Complaint and, on that basis, denies those allegations.

214. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 214 of the Complaint and, on that basis, denies those allegations.

215. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 215 of the Complaint and, on that basis, denies those allegations.

216. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 216 of the Complaint and, on that basis, denies those allegations.

217. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 217 of the Complaint and, on that basis, denies those allegations.

218. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 218 of the Complaint and, on that basis, denies those allegations.

219. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 219 of the Complaint and, on that basis, denies those allegations.

220. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 220 of the Complaint and, on that basis, denies those allegations.

221. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 221 of the Complaint and, on that basis, denies those allegations.

222. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 222 of the Complaint and, on that basis, denies those allegations.

223. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 223 of the Complaint and, on that basis, denies those allegations.

224. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 224 of the Complaint and, on that basis, denies those allegations.

225. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 225 of the Complaint and, on that basis, denies those allegations.

226. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 226 of the Complaint and, on that basis, denies those allegations.

227. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 227 of the Complaint and, on that basis, denies those allegations.

228. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 228 of the Complaint and, on that basis, denies those allegations.

229. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 229 of the Complaint and, on that basis, denies those allegations.

230. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 230 of the Complaint and, on that basis, denies those allegations.

231. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 231 of the Complaint and, on that basis, denies those allegations.

232. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 232 of the Complaint and, on that basis, denies those allegations.

233. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 233 of the Complaint and, on that basis, denies those allegations.

234. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 234 of the Complaint and, on that basis, denies those allegations.

235. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 235 of the Complaint and, on that basis, denies those allegations.

236. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 236 of the Complaint and, on that basis, denies those allegations.

237. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 237 of the Complaint and, on that basis, denies those allegations.

238. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 238 of the Complaint and, on that basis, denies those allegations.

239. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 239 of the Complaint and, on that basis, denies those allegations.

240. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 240 of the Complaint and, on that basis, denies those allegations.

241. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 241 of the Complaint and, on that basis, denies those allegations.

242. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 242 of the Complaint and, on that basis, denies those allegations.

243. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 243 of the Complaint and, on that basis, denies those allegations.

244. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 244 of the Complaint and, on that basis, denies those allegations.

245. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 245 of the Complaint and, on that basis, denies those allegations.

246. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 246 of the Complaint and, on that basis, denies those allegations.

247. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 247 of the Complaint and, on that basis, denies those allegations.

248. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 248 of the Complaint and, on that basis, denies those allegations.

249. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 249 of the Complaint and, on that basis, denies those allegations.

250. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 250 of the Complaint and, on that basis, denies those allegations.

251. Paragraph 251 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 251 contains factual allegations against Smith's, Smith's denies those allegations.

252. Paragraph 252 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 252 contains factual allegations against Smith's, Smith's denies those allegations.

253. Paragraph 253 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 253 contains factual allegations against Smith's, Smith's denies those allegations.

254. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 254 of the Complaint and, on that basis, denies those allegations.

255. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 255 of the Complaint and, on that basis, denies those allegations.

256. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 256 of the Complaint and, on that basis, denies those allegations.

257. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 257 of the Complaint and, on that basis, denies those allegations.

258. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 258 of the Complaint and, on that basis, denies those allegations.

259. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 259 of the Complaint and, on that basis, denies those allegations.

260. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 260 of the Complaint and, on that basis, denies those allegations.

261. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 261 of the Complaint and, on that basis, denies those allegations.

262. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 262 of the Complaint and, on that basis, denies those allegations.

263. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 263 of the Complaint and, on that basis, denies those allegations.

264. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 264 of the Complaint and, on that basis, denies those allegations.

265. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 265 of the Complaint and, on that basis, denies those allegations.

266. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 266 of the Complaint and, on that basis, denies those allegations.

267. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 267 of the Complaint and, on that basis, denies those allegations.

268. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 268 of the Complaint and, on that basis, denies those allegations.

269. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 269 of the Complaint and, on that basis, denies those allegations.

270. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 270 of the Complaint and, on that basis, denies those allegations.

271. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 271 of the Complaint and, on that basis, denies those allegations.

272. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 272 of the Complaint and, on that basis, denies those allegations.

273. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 273 of the Complaint and, on that basis, denies those allegations.

274. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 274 of the Complaint and, on that basis, denies those allegations.

275. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 275 of the Complaint and, on that basis, denies those allegations.

276. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 276 of the Complaint and, on that basis, denies those allegations.

277. Paragraph 277 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 277 contains factual allegations against Smith's, Smith's denies those allegations.

278. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 278 of the Complaint and, on that basis, denies those allegations.

279. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 279 of the Complaint and, on that basis, denies those allegations.

280. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 280 of the Complaint and, on that basis, denies those allegations.

281. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 281 of the Complaint and, on that basis, denies those allegations.

282. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 282 of the Complaint and, on that basis, denies those allegations.

283. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 283 of the Complaint and, on that basis, denies those allegations.

284. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 284 of the Complaint and, on that basis, denies those allegations.

285. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 285 of the Complaint and, on that basis, denies those allegations.

286. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 286 of the Complaint and, on that basis, denies those allegations.

287. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 287 of the Complaint and, on that basis, denies those allegations.

288. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 288 of the Complaint and, on that basis, denies those allegations.

289. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 289 of the Complaint and, on that basis, denies those allegations.

290. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 290 of the Complaint and, on that basis, denies those allegations.

291. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 291 of the Complaint and, on that basis, denies those allegations.

292. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 292 of the Complaint and, on that basis, denies those allegations.

293. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 293 of the Complaint and, on that basis, denies those allegations.

294. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 294 of the Complaint and, on that basis, denies those allegations.

295. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 295 of the Complaint and, on that basis, denies those allegations.

296. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 296 of the Complaint and, on that basis, denies those allegations.

297. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 297 of the Complaint and, on that basis, denies those allegations.

298. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 298 of the Complaint and, on that basis, denies those allegations.

299. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 299 of the Complaint and, on that basis, denies those allegations.

300. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 300 of the Complaint and, on that basis, denies those allegations.

301. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 301 of the Complaint and, on that basis, denies those allegations.

302. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 302 of the Complaint and, on that basis, denies those allegations.

303. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 303 of the Complaint and, on that basis, denies those allegations.

304. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 304 of the Complaint and, on that basis, denies those allegations.

305. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 305 of the Complaint and, on that basis, denies those allegations.

306. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 306 of the Complaint and, on that basis, denies those allegations.

307. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 307 of the Complaint and, on that basis, denies those allegations.

308. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 308 of the Complaint and, on that basis, denies those allegations.

309. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 309 of the Complaint and, on that basis, denies those allegations.

310. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 310 of the Complaint and, on that basis, denies those allegations.

311. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 311 of the Complaint and, on that basis, denies those allegations.

312. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 312 of the Complaint and, on that basis, denies those allegations.

313. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 313 of the Complaint and, on that basis, denies those allegations.

314. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 314 of the Complaint and, on that basis, denies those allegations.

315. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 315 of the Complaint and, on that basis, denies those allegations.

316. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 316 of the Complaint and, on that basis, denies those allegations.

317. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 317 of the Complaint and, on that basis, denies those allegations.

318. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 318 of the Complaint and, on that basis, denies those allegations.

319. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 319 of the Complaint and, on that basis, denies those allegations.

320. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 320 of the Complaint and, on that basis, denies those allegations.

321. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 321 of the Complaint and, on that basis, denies those allegations.

322. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 322 of the Complaint and, on that basis, denies those allegations.

323. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 323 of the Complaint and, on that basis, denies those allegations.

324. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 324 of the Complaint and, on that basis, denies those allegations.

325. Smith's denies the allegations in Paragraph 325 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 325 and, on that basis, denies those allegations.

326. Paragraph 326 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 326 contains factual allegations against Smith's, Smith's denies those allegations.

327. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 327 of the Complaint and, on that basis, denies those allegations.

328. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 328 of the Complaint and, on that basis, denies those allegations.

329. Smith's denies the allegations in Paragraph 329 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 329 and, on that basis, denies those allegations.

330. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 330 of the Complaint and, on that basis, denies those allegations.

331. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 331 of the Complaint and, on that basis, denies those allegations.

332. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 332 of the Complaint and, on that basis, denies those allegations.

333. Smith's denies the allegations in Paragraph 333 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 333 and, on that basis, denies those allegations.

334. Smith's denies the allegations in Paragraph 334 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 334 and, on that basis, denies those allegations.

335. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 335 of the Complaint and, on that basis, denies those allegations.

336. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 336 of the Complaint and, on that basis, denies those allegations.

337. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 337 of the Complaint and, on that basis, denies those allegations.

338. Smith's denies the allegations in Paragraph 338 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 338 and, on that basis, denies those allegations.

339. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 339 of the Complaint and, on that basis, denies those allegations.

340. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 340 of the Complaint and, on that basis, denies those allegations.

341. Paragraph 341 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 341 contains factual allegations against Smith's, Smith's denies those allegations.

342. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 342 of the Complaint and, on that basis, denies those allegations.

343. Paragraph 343 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 343 contains factual allegations against Smith's, Smith's denies those allegations.

344. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 344 of the Complaint and, on that basis, denies those allegations.

345. Paragraph 345 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 345 contains factual allegations against Smith's, Smith's denies those allegations.

346. Smith's denies the allegations in Paragraph 346 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 346 and, on that basis, denies those allegations.

347. Smith's denies the allegations in Paragraph 347 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 347 and, on that basis, denies those allegations.

348. Smith's denies the allegations in Paragraph 348 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 348 and, on that basis, denies those allegations.

349. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 349 of the Complaint and, on that basis, denies those allegations.

350. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 350 of the Complaint and, on that basis, denies those allegations.

351. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 351 of the Complaint and, on that basis, denies those allegations.

352. Smith's denies the allegations in Paragraph 352 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 352 and, on that basis, denies those allegations.

353. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 353 of the Complaint and, on that basis, denies those allegations.

354. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 354 of the Complaint and, on that basis, denies those allegations.

355. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 355 of the Complaint and, on that basis, denies those allegations.

356. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 356 of the Complaint and, on that basis, denies those allegations.

357. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 357 of the Complaint and, on that basis, denies those allegations.

358. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 358 of the Complaint and, on that basis, denies those allegations.

359. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 359 of the Complaint and, on that basis, denies those allegations.

360. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 360 of the Complaint and, on that basis, denies those allegations.

361. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 361 of the Complaint and, on that basis, denies those allegations.

362. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 362 of the Complaint and, on that basis, denies those allegations.

363. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 363 of the Complaint and, on that basis, denies those allegations.

364. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 364 of the Complaint and, on that basis, denies those allegations.

365. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 365 of the Complaint and, on that basis, denies those allegations.

366. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 366 of the Complaint and, on that basis, denies those allegations.

367. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 367 of the Complaint and, on that basis, denies those allegations.

368. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 368 of the Complaint and, on that basis, denies those allegations.

369. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 369 of the Complaint and, on that basis, denies those allegations.

370. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 370 of the Complaint and, on that basis, denies those allegations.

371. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 371 of the Complaint and, on that basis, denies those allegations.

372. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 372 of the Complaint and, on that basis, denies those allegations.

373. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 373 of the Complaint and, on that basis, denies those allegations.

374. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 374 of the Complaint and, on that basis, denies those allegations.

375. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 375 of the Complaint and, on that basis, denies those allegations.

376. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 376 of the Complaint and, on that basis, denies those allegations.

377. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 377 of the Complaint and, on that basis, denies those allegations.

378. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 378 of the Complaint and, on that basis, denies those allegations.

379. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 379 of the Complaint and, on that basis, denies those allegations.

380. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 380 of the Complaint and, on that basis, denies those allegations.

381. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 381 of the Complaint and, on that basis, denies those allegations.

382. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 382 of the Complaint and, on that basis, denies those allegations.

383. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 383 of the Complaint and, on that basis, denies those allegations.

384. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 384 of the Complaint and, on that basis, denies those allegations.

385. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 385 of the Complaint and, on that basis, denies those allegations.

386. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 386 of the Complaint and, on that basis, denies those allegations.

387. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 387 of the Complaint and, on that basis, denies those allegations.

388. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 388 of the Complaint and, on that basis, denies those allegations.

389. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 389 of the Complaint and, on that basis, denies those allegations.

390. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 390 of the Complaint and, on that basis, denies those allegations.

391. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 391 of the Complaint and, on that basis, denies those allegations.

392. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 392 of the Complaint and, on that basis, denies those allegations.

393. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 393 of the Complaint and, on that basis, denies those allegations.

394. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 394 of the Complaint and, on that basis, denies those allegations.

395. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 395 of the Complaint and, on that basis, denies those allegations.

396. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 396 of the Complaint and, on that basis, denies those allegations.

397. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 397 of the Complaint and, on that basis, denies those allegations.

398. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 398 of the Complaint and, on that basis, denies those allegations.

399. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 399 of the Complaint and, on that basis, denies those allegations.

400. Smith's denies the allegations in Paragraph 400 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 400 and, on that basis, denies those allegations.

401. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 401 of the Complaint and, on that basis, denies those allegations.

402. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 402 of the Complaint and, on that basis, denies those allegations.

403. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 403 of the Complaint and, on that basis, denies those allegations.

404. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 404 of the Complaint and, on that basis, denies those allegations.

405. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 405 of the Complaint and, on that basis, denies those allegations.

406. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 406 of the Complaint and, on that basis, denies those allegations.

407. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 407 of the Complaint and, on that basis, denies those allegations.

408. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 408 of the Complaint and, on that basis, denies those allegations.

409. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 409 of the Complaint and, on that basis, denies those allegations.

410. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 410 of the Complaint and, on that basis, denies those allegations.

411. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 411 of the Complaint and, on that basis, denies those allegations.

412. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 412 of the Complaint and, on that basis, denies those allegations.

413. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 413 of the Complaint and, on that basis, denies those allegations.

414. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 414 of the Complaint and, on that basis, denies those allegations.

415. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 415 of the Complaint and, on that basis, denies those allegations.

416. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 416 of the Complaint and, on that basis, denies those allegations.

417. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 417 of the Complaint and, on that basis, denies those allegations.

418. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 418 of the Complaint and, on that basis, denies those allegations.

419. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 419 of the Complaint and, on that basis, denies those allegations.

420. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 420 of the Complaint and, on that basis, denies those allegations.

421. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 421 of the Complaint and, on that basis, denies those allegations.

422. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 422 of the Complaint and, on that basis, denies those allegations.

423. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 423 of the Complaint and, on that basis, denies those allegations.

424. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 424 of the Complaint and, on that basis, denies those allegations.

425. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 425 of the Complaint and, on that basis, denies those allegations.

426. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 426 of the Complaint and, on that basis, denies those allegations.

427. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 427 of the Complaint and, on that basis, denies those allegations.

428. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 428 of the Complaint and, on that basis, denies those allegations.

429. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 429 of the Complaint and, on that basis, denies those allegations.

430. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 430 of the Complaint and, on that basis, denies those allegations.

431. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 431 of the Complaint and, on that basis, denies those allegations.

432. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 432 of the Complaint and, on that basis, denies those allegations.

433. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 433 of the Complaint and, on that basis, denies those allegations.

434. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 434 of the Complaint and, on that basis, denies those allegations.

435. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 435 of the Complaint and, on that basis, denies those allegations.

436. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 436 of the Complaint and, on that basis, denies those allegations.

437. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 437 of the Complaint and, on that basis, denies those allegations.

438. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 438 of the Complaint and, on that basis, denies those allegations.

439. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 439 of the Complaint and, on that basis, denies those allegations.

440. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 440 of the Complaint and, on that basis, denies those allegations.

441. Paragraph 441 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 441 contains factual allegations against Smith's, Smith's denies those allegations.

442. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 442 of the Complaint and, on that basis, denies those allegations.

443. Paragraph 443 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 443 contains factual allegations against Smith's, Smith's denies those allegations.

444. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 444 of the Complaint and, on that basis, denies those allegations.

445. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 445 of the Complaint and, on that basis, denies those allegations.

446. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 446 of the Complaint and, on that basis, denies those allegations.

447. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 447 of the Complaint and, on that basis, denies those allegations.

448. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 448 of the Complaint and, on that basis, denies those allegations.

449. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 449 of the Complaint and, on that basis, denies those allegations.

450. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 450 of the Complaint and, on that basis, denies those allegations.

451. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 451 of the Complaint and, on that basis, denies those allegations.

452. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 452 of the Complaint and, on that basis, denies those allegations.

453. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 453 of the Complaint and, on that basis, denies those allegations.

454. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 454 of the Complaint and, on that basis, denies those allegations.

455. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 455 of the Complaint and, on that basis, denies those allegations.

456. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 456 of the Complaint and, on that basis, denies those allegations.

457. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 457 of the Complaint and, on that basis, denies those allegations.

458. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 458 of the Complaint and, on that basis, denies those allegations.

459. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 459 of the Complaint and, on that basis, denies those allegations.

460. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 460 of the Complaint and, on that basis, denies those allegations.

461. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 461 of the Complaint and, on that basis, denies those allegations.

462. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 462 of the Complaint and, on that basis, denies those allegations.

463. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 463 of the Complaint and, on that basis, denies those allegations.

464. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 464 of the Complaint and, on that basis, denies those allegations.

465. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 465 of the Complaint and, on that basis, denies those allegations.

466. Paragraph 466 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 466 contains factual allegations against Smith's, Smith's denies those allegations.

467. Paragraph 467 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 467 contains factual allegations against Smith's, Smith's denies those allegations.

468. Paragraph 468 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 468 contains factual allegations against Smith's, Smith's denies those allegations.

469. Smith's denies the allegations in Paragraph 469 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 469 and, on that basis, denies those allegations.

470. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 470 of the Complaint and, on that basis, denies those allegations.

471. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 471 of the Complaint and, on that basis, denies those allegations.

472. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 472 of the Complaint and, on that basis, denies those allegations.

473. Smith's denies the allegations in Paragraph 473 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 473 and, on that basis, denies those allegations.

474. Smith's denies the allegations in Paragraph 474 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 474 and, on that basis, denies those allegations.

475. Smith's denies the allegations in Paragraph 475 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 475 and, on that basis, denies those allegations.

476. Smith's denies the allegations in Paragraph 476 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 476 and, on that basis, denies those allegations.

477. Paragraph 477 of the Complaint states a legal conclusion rather than an allegation and, hence, no response is required. To the extent Paragraph 477 contains factual

allegations against Smith's, Smith's denies those allegations, but is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 477 and, on that basis, denies those allegations.

478. Smith's denies the allegations in Paragraph 478 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 478 and, on that basis, denies those allegations.

479. Paragraph 479 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 479 contains factual allegations against Smith's, Smith's denies those allegations.

480. Paragraph 480 of the Complaint is vague ("multiple sources") and states a legal conclusion to which no response is required. To the extent Paragraph 480 contains factual allegations against Smith's, Smith's admits that certain provisions of state and federal law impose a duty on it to report suspicious orders and other responsibilities, and that Smith's fulfilled that duty and those responsibilities, but is without knowledge or information sufficient to form a belief as to what the alleged "multiple sources" are, and, on that basis, denies the remaining allegations in Paragraph 480 of the Complaint.

481. Smith's denies the allegations in Paragraph 481 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 481 and, on that basis, denies those allegations.

482. Paragraph 482 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 482 contains factual allegations against Smith's, Smith's denies those allegations.

483. Smith's denies the allegations in Paragraph 483 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 483 and, on that basis, denies those allegations.

484. Paragraph 484 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 484 contains factual allegations against Smith's, Smith's denies those allegations.

485. Smith's denies the allegations in Paragraph 485 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 485 and, on that basis, denies those allegations.

486. Paragraph 486 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 486 contains factual allegations against Smith's, Smith's denies those allegations.

487. Paragraph 487 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 487 contains factual allegations against Smith's, Smith's denies those allegations.

488. Paragraph 488 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 488 contains factual allegations against Smith's, Smith's denies those allegations.

489. Paragraph 489 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 489 contains factual allegations against Smith's, Smith's denies those allegations.

490. Paragraph 490 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 490 contains factual allegations against Smith's, Smith's denies those allegations.

491. Paragraph 491 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 491 contains factual allegations against Smith's, Smith's denies those allegations.

492. Paragraph 492 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 492 contains factual allegations against Smith's, Smith's denies those allegations.

493. Paragraph 493 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 493 contains factual allegations against Smith's, Smith's denies those allegations.

494. Smith's denies the allegations in Paragraph 494 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 494 and, on that basis, denies those allegations.

495. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 495 of the Complaint and, on that basis, denies those allegations.

496. Paragraph 496 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 496 contains factual allegations against Smith's, Smith's denies those allegations.

497. Smith's denies the allegations in Paragraph 497 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 497 and, on that basis, denies those allegations.

498. Paragraph 498 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 498 contains factual allegations against Smith's, Smith's denies those allegations.

499. Paragraph 499 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 499 contains factual allegations against Smith's, Smith's denies those allegations.

500. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 500 of the Complaint and, on that basis, denies those allegations.

501. Paragraph 501 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 501 contains factual allegations against Smith's, Smith's denies those allegations.

502. The DEA conferences referenced in Paragraph 502 of the Complaint speaks for themselves, Smith's denies any characterization of what those conferences sought to accomplish, and is without knowledge or information to form a belief as to the truth of the allegations in Paragraph 502 of the Complaint and, on that basis, denies those allegations.

503. The DEA letter referenced in Paragraph 503 of the Complaint speaks for itself, Smith's denies any characterization of what that letter sought to accomplish, and is without knowledge or information to form a belief as to the truth of the allegations in Paragraph 503 of the Complaint and, on that basis, denies those allegations.

504. The DEA letter referenced in Paragraph 504 of the Complaint speaks for itself, Smith's denies any characterization of what that letter sought to accomplish, and is without knowledge or information to form a belief as to the truth of the allegation in Paragraph 504 of the Complaint and, on that basis, denies those allegations.

505. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 505 of the Complaint and, on that basis, denies those allegations.

506. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 506 of the Complaint and, on that basis, denies those allegations.

507. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 507 of the Complaint and, on that basis, denies those allegations.

508. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 508 of the Complaint and, on that basis, denies those allegations.

509. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 509 of the Complaint and, on that basis, denies those allegations.

510. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 510 of the Complaint and, on that basis, denies those allegations.

511. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 511 of the Complaint and, on that basis, denies those allegations.

512. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 512 of the Complaint and, on that basis, denies those allegations.

513. Smith's denies the allegations in Paragraph 513 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 513 and, on that basis, denies those allegations.

514. Smith's denies the allegations in Paragraph 514 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 514 and, on that basis, denies those allegations.

515. Smith's denies the allegations in Paragraph 515 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 515 and, on that basis, denies those allegations.

516. Smith's denies the allegations in Paragraph 516 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 516 and, on that basis, denies those allegations.

517. Smith's denies the allegations in Paragraph 517 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 517 and, on that basis, denies those allegations.

518. Smith's denies the allegations in Paragraph 518 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 518 and, on that basis, denies those allegations.

519. Smith's denies the allegations in Paragraph 519 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 519 and, on that basis, denies those allegations.

520. Smith's denies the allegations in Paragraph 520 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 520 and, on that basis, denies those allegations.

521. Smith's denies the allegations in Paragraph 521 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 521 and, on that basis, denies those allegations.

522. Smith's denies the allegations in Paragraph 522 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 522 and, on that basis, denies those allegations.

523. Smith's denies the allegations in Paragraph 523 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 523 and, on that basis, denies those allegations.

524. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 524 of the Complaint and, on that basis, denies those allegations.

525. Smith's denies the allegations in Paragraph 525 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 525 and, on that basis, denies those allegations.

526. Smith's denies the allegations in Paragraph 526 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 526 and, on that basis, denies those allegations.

527. Paragraph 527 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 527 contains factual allegations against Smith's, Smith's denies those allegations.

528. Smith's denies the allegations in Paragraph 528 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 528 and, on that basis, denies those allegations.

529. Smith's denies the allegations in Paragraph 529 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 529 and, on that basis, denies those allegations.

530. Smith's denies the allegations in Paragraph 530 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 530 and, on that basis, denies those allegations.

531. Smith's denies the allegations in Paragraph 531 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 531 and, on that basis, denies those allegations.

532. Smith's denies the allegations in Paragraph 532 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 532 and, on that basis, denies those allegations.

533. Smith's denies the allegations in Paragraph 533 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 533 and, on that basis, denies those allegations.

534. Smith's denies the allegations in Paragraph 534 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 534 and, on that basis, denies those allegations.

535. Smith's denies the allegations in Paragraph 535 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 535 and, on that basis, denies those allegations.

536. Smith's denies the allegations in Paragraph 536 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 536 and, on that basis, denies those allegations.

537. Smith's denies the allegations in Paragraph 537 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 537 and, on that basis, denies those allegations.

538. Smith's denies the allegations in Paragraph 538 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 538 and, on that basis, denies those allegations.

539. Smith's denies the allegations in Paragraph 539 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 539 and, on that basis, denies those allegations.

540. Smith's denies the allegations in Paragraph 540 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 540 and, on that basis, denies those allegations.

541. Smith's denies the allegations in Paragraph 541 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 541 and, on that basis, denies those allegations.

542. Smith's denies the allegations in Paragraph 542 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 542 and, on that basis, denies those allegations.

543. Smith's admits that it may have received certain IQVIA data, denies the remaining allegations in Paragraph 543 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 543 and, on that basis, denies those allegations.

544. Smith's admits only that there is an Appendix A to the SOM policy that is a questionnaire, which speaks for itself, denies the remaining allegations in Paragraph 544 of the Complaint, and is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 544 of the Complaint and, on that basis, denies those allegations.

545. Smith's admits that it may have received certain IQVIA data, denies the remaining allegations in Paragraph 545 of the Complaint directed at Smith's, and is without

knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 545 and, on that basis, denies those allegations.

546. Smith's denies the allegations in Paragraph 546 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 546 and, on that basis, denies those allegations.

547. Smith's denies the allegations in Paragraph 547 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 547 and, on that basis, denies those allegations.

548. Smith's admits only that it may have received certain IQVIA data, and is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 548 and, on that basis, denies those allegations.

549. Smith's denies the allegations in Paragraph 549 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 549 and, on that basis, denies those allegations.

550. Smith's denies the allegations in Paragraph 550 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 550 and, on that basis, denies those allegations.

551. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 551 of the Complaint and, on that basis, denies those allegations.

552. Smith's denies the allegations in Paragraph 552 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 552 and, on that basis, denies those allegations.

553. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 553 of the Complaint and, on that basis, denies those allegations.

554. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 554 of the Complaint and, on that basis, denies those allegations.

555. Smith's denies the allegations in Paragraph 555 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 555 and, on that basis, denies those allegations.

556. Smith's denies the allegations in Paragraph 556 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 556 and, on that basis, denies those allegations.

557. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 557 of the Complaint and, on that basis, denies those allegations.

558. Smith's denies the allegations in Paragraph 558 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 558 and, on that basis, denies those allegations.

559. Smith's denies the allegations in Paragraph 559 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 559 and, on that basis, denies those allegations.

560. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 560 of the Complaint and, on that basis, denies those allegations.

561. Smith's denies the allegations in Paragraph 561 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 561 and, on that basis, denies those allegations.

562. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 562 of the Complaint and, on that basis, denies those allegations.

563. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 563 of the Complaint and, on that basis, denies those allegations.

564. Smith's denies the allegations in Paragraph 564 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 564 and, on that basis, denies those allegations.

565. Smith's denies the allegations in Paragraph 565 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 565 and, on that basis, denies those allegations.

566. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 566 of the Complaint and, on that basis, denies those allegations.

567. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 567 of the Complaint and, on that basis, denies those allegations.

568. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 568 of the Complaint and, on that basis, denies those allegations.

569. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 569 of the Complaint and, on that basis, denies those allegations.

570. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 570 of the Complaint and, on that basis, denies those allegations.

571. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 571 of the Complaint and, on that basis, denies those allegations.

572. Smith's denies the allegations in Paragraph 572 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 572 and, on that basis, denies those allegations.

573. Smith's denies the allegations in Paragraph 573 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 573 and, on that basis, denies those allegations.

574. Smith's denies the allegations in Paragraph 574 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 574 and, on that basis, denies those allegations.

575. Smith's denies the allegations in Paragraph 575 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 575 and, on that basis, denies those allegations.

576. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 576 of the Complaint and, on that basis, denies those allegations.

577. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 577 of the Complaint and, on that basis, denies those allegations.

578. Smith's denies the allegations in Paragraph 578 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 578 and, on that basis, denies those allegations.

579. Smith's denies the allegations in Paragraph 579 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 579 and, on that basis, denies those allegations.

580. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 580 of the Complaint and, on that basis, denies those allegations.

581. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 581 of the Complaint and, on that basis, denies those allegations.

582. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 582 of the Complaint and, on that basis, denies those allegations.

583. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 583 of the Complaint and, on that basis, denies those allegations.

584. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 584 of the Complaint and, on that basis, denies those allegations.

585. Smith's denies the allegations in Paragraph 585 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 585 and, on that basis, denies those allegations.

586. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 586 of the Complaint and, on that basis, denies those allegations.

587. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 587 of the Complaint and, on that basis, denies those allegations.

588. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 588 of the Complaint and, on that basis, denies those allegations.

589. Smith's denies the allegations in Paragraph 589 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 589 and, on that basis, denies those allegations.

590. Smith's admits that it has certain duties and responsibilities under state and federal law, and that Smith's fulfilled those duties and responsibilities, but is without knowledge and information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 590 and, on that basis, denies those allegations.

591. Paragraph 591 of the Complaint states a legal conclusion rather than an allegation and, hence, no response is required. To the extent Paragraph 591 contains factual allegations against Smith's, Smith's admits that pharmacies are registrants under the CSA, admits that certain provisions of state and federal law impose certain duties and responsibilities on it, that Smith's fulfilled those duties and responsibilities, denies the remaining allegation alleged against it, and is without knowledge and information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 591 and, on that basis, denies those allegations.

592. Paragraph 592 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 592 contains factual allegations against Smith's, Smith's denies those allegations.

593. Paragraph 593 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 593 contains factual allegations against Smith's, Smith's denies those allegations.

594. Paragraph 594 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 594 contains factual allegations against Smith's, Smith's denies those allegations.

595. Paragraph 595 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 595 contains factual allegations against Smith's, Smith's denies those allegations.

596. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 596 of the Complaint and, on that basis, denies those allegations.

597. Paragraph 597 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 597 contains factual allegations against Smith's, Smith's denies those allegations.

598. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 598 of the Complaint and, on that basis, denies those allegations.

599. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 599 of the Complaint and, on that basis, denies those allegations.

600. Smith's denies the allegations in Paragraph 600 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 600 and, on that basis, denies those allegations.

601. Smith's denies the allegations in Paragraph 601 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 601 and, on that basis, denies those allegations.

602. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 602 of the Complaint and, on that basis, denies those allegations.

603. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 603 of the Complaint and, on that basis, denies those allegations.

604. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 604 of the Complaint and, on that basis, denies those allegations.

605. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 605 of the Complaint and, on that basis, denies those allegations.

606. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 606 of the Complaint and, on that basis, denies those allegations.

607. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 607 of the Complaint and, on that basis, denies those allegations.

608. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 608 of the Complaint and, on that basis, denies those allegations.

609. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 609 of the Complaint and, on that basis, denies those allegations.

610. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 610 of the Complaint and, on that basis, denies those allegations.

611. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 611 of the Complaint and, on that basis, denies those allegations.

612. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 612 of the Complaint and, on that basis, denies those allegations.

613. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 613 of the Complaint and, on that basis, denies those allegations.

614. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 614 of the Complaint and, on that basis, denies those allegations.

615. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 615 of the Complaint and, on that basis, denies those allegations.

616. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 616 of the Complaint and, on that basis, denies those allegations.

617. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 617 of the Complaint and, on that basis, denies those allegations.

618. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 618 of the Complaint and, on that basis, denies those allegations.

619. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 619 of the Complaint and, on that basis, denies those allegations.

620. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 620 of the Complaint and, on that basis, denies those allegations.

621. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 621 of the Complaint and, on that basis, denies those allegations.

622. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 622 of the Complaint and, on that basis, denies those allegations.

623. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 623 of the Complaint and, on that basis, denies those allegations.

624. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 624 of the Complaint and, on that basis, denies those allegations.

625. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 625 of the Complaint and, on that basis, denies those allegations.

626. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 626 of the Complaint and, on that basis, denies those allegations.

627. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 627 of the Complaint and, on that basis, denies those allegations.

628. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 628 of the Complaint and, on that basis, denies those allegations.

629. Smith's denies the allegations in Paragraph 629 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 629 and, on that basis, denies those allegations.

630. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 630 of the Complaint and, on that basis, denies those allegations.

631. Smith's denies the allegations in Paragraph 631 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 631 and, on that basis, denies those allegations.

632. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 632 of the Complaint and, on that basis, denies those allegations.

633. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 633 of the Complaint and, on that basis, denies those allegations.

634. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 634 of the Complaint and, on that basis, denies those allegations.

635. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 635 of the Complaint and, on that basis, denies those allegations.

636. Paragraph 636 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 636 contains factual allegations against Smith's, Smith's denies those allegations.

637. Paragraph 637 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 637 contains factual allegations against Smith's, Smith's denies those allegations.

638. Paragraph 638 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 638 contains factual allegations against Smith's, Smith's denies those allegations.

639. Paragraph 639 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 639 contains factual allegations against Smith's, Smith's denies those allegations.

640. Smith's denies the allegations in Paragraph 640 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 640 and, on that basis, denies those allegations.

641. Paragraph 641 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 641 contains factual allegations against Smith's, Smith's denies those allegations.

642. Smith's denies the allegations in Paragraph 642 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 642 and, on that basis, denies those allegations.

643. Smith's denies the allegations in Paragraph 643 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 643 and, on that basis, denies those allegations.

644. Smith's denies the allegations in Paragraph 644 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 644 and, on that basis, denies those allegations.

645. Smith's denies the allegations in Paragraph 645 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 645 and, on that basis, denies those allegations.

646. Smith's denies the allegations in Paragraph 646 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 646 and, on that basis, denies those allegations.

647. Smith's denies the allegations in Paragraph 647 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 647 and, on that basis, denies those allegations.

648. Smith's denies the allegations in Paragraph 648 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 648 and, on that basis, denies those allegations.

649. Smith's denies the allegations in Paragraph 649 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 649 and, on that basis, denies those allegations.

650. Smith's denies the allegations in Paragraph 650 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 650 and, on that basis, denies those allegations.

651. Smith's denies the allegations in Paragraph 651 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 651 and, on that basis, denies those allegations.

652. Paragraph 652 of the Complaint states a legal conclusion rather than an allegation and, hence, no response is required. To the extent Paragraph 652 contains factual allegations against Smith's, Smith's denies those allegations, but is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 652 and, on that basis, denies those allegations.

653. Paragraph 653 of the Complaint states a legal conclusion rather than an allegation and, hence, no response is required. To the extent Paragraph 653 contains factual allegations against Smith's, admits that certain provisions of state and federal law impose certain duties and responsibilities on it, that Smith's fulfilled those duties and responsibilities, denies the remaining allegation alleged against it, and is without knowledge and information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 653 and, on that basis, denies those allegations.

654. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 654 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 654 and, on that basis, denies those allegations.

655. Paragraph 655 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 655 contains factual allegations against Smith's, Smith's denies those allegations.

656. Paragraph 656 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 656 contains factual allegations against Smith's, Smith's denies those allegations.

657. Paragraph 657 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 657 contains factual allegations against Smith's, Smith's denies those allegations.

658. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 658 of the Complaint and, on that basis, denies those allegations.

659. Paragraph 659 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 659 contains factual allegations against Smith's, Smith's denies those allegations.

660. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 660 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 660 and, on that basis, denies those allegations.

661. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 661 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 661 and, on that basis, denies those allegations.

662. Paragraph 662 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 662 contains factual allegations against Smith's, Smith's denies those allegations.

663. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 663 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 663 and, on that basis, denies those allegations.

664. Paragraph 664 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 664 contains factual allegations against Smith's, Smith's denies those allegations.

665. Smith's denies the allegations in Paragraph 665 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 665 and, on that basis, denies those allegations.

666. Paragraph 666 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 666 contains factual allegations against Smith's, Smith's denies those allegations.

667. Paragraph 667 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 667 contains factual allegations against Smith's, Smith's denies those allegations.

668. Paragraph 668 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 668 contains factual allegations against Smith's, Smith's denies those allegations.

669. Paragraph 669 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 669 contains factual allegations against Smith's, Smith's denies those allegations.

670. Smith's denies the allegations in Paragraph 670 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 670 and, on that basis, denies those allegations.

671. Smith's denies the allegations in Paragraph 671 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 671 and, on that basis, denies those allegations.

672. Smith's denies the allegations in Paragraph 672 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 672 and, on that basis, denies those allegations.

673. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 673 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 673 and, on that basis, denies those allegations.

674. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 674 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 674 and, on that basis, denies those allegations.

675. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 675 of the Complaint

directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 675 and, on that basis, denies those allegations.

676. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 676 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 676 and, on that basis, denies those allegations.

677. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 677 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 677 and, on that basis, denies those allegations.

678. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 678 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 678 and, on that basis, denies those allegations.

679. Smith's denies the allegations in Paragraph 679 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 679 and, on that basis, denies those allegations.

680. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 680 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 680 and, on that basis, denies those allegations.

681. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 681 of the Complaint

directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 681 and, on that basis, denies those allegations.

682. Paragraph 682 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 682 contains factual allegations against Smith's, Smith's denies those allegations.

683. Paragraph 683 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 683 contains factual allegations against Smith's, Smith's denies those allegations.

684. Paragraph 684 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 684 contains factual allegations against Smith's, Smith's denies those allegations.

685. Paragraph 685 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 685 contains factual allegations against Smith's, Smith's denies those allegations.

686. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 686 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 686 and, on that basis, denies those allegations.

687. Paragraph 687 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 687 contains factual allegations against Smith's, Smith's denies those allegations.

688. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 688 of the Complaint

directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 688 and, on that basis, denies those allegations.

689. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 689 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 689 and, on that basis, denies those allegations.

690. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 690 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 690 and, on that basis, denies those allegations.

691. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 691 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 691 and, on that basis, denies those allegations.

692. Smith's acknowledges that the abuse and addiction to opioids is a serious public health issue, but Smith's denies the allegations in Paragraph 692 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 692 and, on that basis, denies those allegations.

693. Paragraph 693 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 693 contains factual allegations against Smith's, Smith's denies those allegations.

694. Smith's denies the allegations in Paragraph 694 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 694 and, on that basis, denies those allegations.

695. Paragraph 695 of the Complaint contains a statement rather than an allegation and, hence, no response is required. To the extent Paragraph 695 contains factual allegations against Smith's, Smith's denies those allegations.

696. Smith's denies the allegations in Paragraph 696 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 696 and, on that basis, denies those allegations.

697. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 697 of the Complaint and, on that basis, denies those allegations.

698. Smith's denies the allegations in Paragraph 698 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 698 and, on that basis, denies those allegations.

699. Smith's denies the allegations in Paragraph 699 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 699 and, on that basis, denies those allegations.

700. Smith's denies the allegations in Paragraph 700 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 700 and, on that basis, denies those allegations.

701. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 701 of the Complaint and, on that basis, denies those allegations.

702. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 702 of the Complaint and, on that basis, denies those allegations.

703. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 703 of the Complaint and, on that basis, denies those allegations.

704. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 704 of the Complaint and, on that basis, denies those allegations.

705. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 705 of the Complaint and, on that basis, denies those allegations.

706. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 706 of the Complaint and, on that basis, denies those allegations.

707. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 707 of the Complaint and, on that basis, denies those allegations.

708. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 708 of the Complaint and, on that basis, denies those allegations.

709. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 709 of the Complaint and, on that basis, denies those allegations.

710. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 710 of the Complaint and, on that basis, denies those allegations.

711. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 711 of the Complaint and, on that basis, denies those allegations.

712. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 712 of the Complaint and, on that basis, denies those allegations.

713. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 713 of the Complaint and, on that basis, denies those allegations.

714. Smith's denies the allegations in Paragraph 714 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 714 and, on that basis, denies those allegations.

715. Smith's denies the allegations in Paragraph 715 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 715 and, on that basis, denies those allegations.

716. Smith's denies the allegations in Paragraph 716 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 716 and, on that basis, denies those allegations.

717. Smith's denies the allegations in Paragraph 717 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 717 and, on that basis, denies those allegations.

718. Smith's denies the allegations in Paragraph 718 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 718 and, on that basis, denies those allegations.

719. Smith's denies the allegations in Paragraph 719 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 719 and, on that basis, denies those allegations.

720. Smith's denies the allegations in Paragraph 720 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 720 and, on that basis, denies those allegations.

721. Smith's denies the allegations in Paragraph 721 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 721 and, on that basis, denies those allegations.

722. Smith's denies the allegations in Paragraph 722 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 722 and, on that basis, denies those allegations.

723. Smith's denies the allegations in Paragraph 723 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 723 and, on that basis, denies those allegations.

724. Smith's denies the allegations in Paragraph 724 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 724 and, on that basis, denies those allegations.

725. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 725 of the Complaint and, on that basis, denies those allegations.

726. Smith's denies the allegations in Paragraph 726 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 726 and, on that basis, denies those allegations.

727. Smith's denies the allegations in Paragraph 727 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 727 and, on that basis, denies those allegations.

728. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 728 of the Complaint and, on that basis, denies those allegations.

729. Smith's denies the allegations in Paragraph 729 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 729 and, on that basis, denies those allegations.

730. Smith's denies the allegations in Paragraph 730 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 730 and, on that basis, denies those allegations.

731. Smith's denies the allegations in Paragraph 731 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 731 and, on that basis, denies those allegations.

732. Smith's denies the allegations in Paragraph 732 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 732 and, on that basis, denies those allegations.

733. Smith's denies the allegations in Paragraph 733 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 733 and, on that basis, denies those allegations.

734. Smith's denies the allegations in Paragraph 734 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 734 and, on that basis, denies those allegations.

735. Smith's denies the allegations in Paragraph 735 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 735 and, on that basis, denies those allegations.

736. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 736 of the Complaint and, on that basis, denies those allegations.

737. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 737 of the Complaint and, on that basis, denies those allegations.

738. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 738 of the Complaint and, on that basis, denies those allegations.

739. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 739 of the Complaint and, on that basis, denies those allegations.

740. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 740 of the Complaint and, on that basis, denies those allegations.

741. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 741 of the Complaint and, on that basis, denies those allegations.

742. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 742 of the Complaint and, on that basis, denies those allegations.

743. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 743 of the Complaint and, on that basis, denies those allegations.

744. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 744 of the Complaint and, on that basis, denies those allegations.

745. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 745 of the Complaint and, on that basis, denies those allegations.

746. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 746 of the Complaint and, on that basis, denies those allegations.

747. Smith's denies the allegations in Paragraph 747 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 747 and, on that basis, denies those allegations.

748. Smith's denies the allegations in Paragraph 748 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 748 and, on that basis, denies those allegations.

749. Smith's denies the allegations in Paragraph 749 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 749 and, on that basis, denies those allegations.

750. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 750 of the Complaint and, on that basis, denies those allegations.

751. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 751 of the Complaint and, on that basis, denies those allegations.

752. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 752 of the Complaint and, on that basis, denies those allegations.

753. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 753 of the Complaint and, on that basis, denies those allegations.

754. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 754 of the Complaint and, on that basis, denies those allegations.

755. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 755 of the Complaint and, on that basis, denies those allegations.

756. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 756 of the Complaint and, on that basis, denies those allegations.

757. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 757 of the Complaint and, on that basis, denies those allegations.

758. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 758 of the Complaint and, on that basis, denies those allegations.

759. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 759 of the Complaint and, on that basis, denies those allegations.

760. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 760 of the Complaint and, on that basis, denies those allegations.

761. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 761 of the Complaint and, on that basis, denies those allegations.

762. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 762 of the Complaint and, on that basis, denies those allegations.

763. Smith's denies the allegations in Paragraph 763 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 763 and, on that basis, denies those allegations.

764. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 764 of the Complaint and, on that basis, denies those allegations.

765. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 765 of the Complaint and, on that basis, denies those allegations.

766. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 766 of the Complaint and, on that basis, denies those allegations.

767. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 767 of the Complaint and, on that basis, denies those allegations.

768. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 768 of the Complaint and, on that basis, denies those allegations.

769. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 769 of the Complaint and, on that basis, denies those allegations.

770. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 770 of the Complaint and, on that basis, denies those allegations.

771. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 771 of the Complaint and, on that basis, denies those allegations.

772. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 772 of the Complaint and, on that basis, denies those allegations.

773. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 773 of the Complaint and, on that basis, denies those allegations.

774. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 774 of the Complaint and, on that basis, denies those allegations.

775. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 775 of the Complaint and, on that basis, denies those allegations.

776. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 776 of the Complaint and, on that basis, denies those allegations.

777. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 777 of the Complaint and, on that basis, denies those allegations.

778. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 778 of the Complaint and, on that basis, denies those allegations.

779. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 779 of the Complaint and, on that basis, denies those allegations.

780. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 780 of the Complaint and, on that basis, denies those allegations.

781. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 781 of the Complaint and, on that basis, denies those allegations.

782. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 782 of the Complaint and, on that basis, denies those allegations.

783. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 783 of the Complaint and, on that basis, denies those allegations.

784. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 784 of the Complaint and, on that basis, denies those allegations.

785. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 785 of the Complaint and, on that basis, denies those allegations.

786. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 786 of the Complaint and, on that basis, denies those allegations.

787. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 787 of the Complaint and, on that basis, denies those allegations.

788. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 788 of the Complaint and, on that basis, denies those allegations.

789. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 789 of the Complaint and, on that basis, denies those allegations.

790. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 790 of the Complaint and, on that basis, denies those allegations.

791. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 791 of the Complaint and, on that basis, denies those allegations.

792. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 792 of the Complaint and, on that basis, denies those allegations.

793. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 793 of the Complaint and, on that basis, denies those allegations.

794. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 794 of the Complaint and, on that basis, denies those allegations.

795. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 795 of the Complaint and, on that basis, denies those allegations.

796. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 796 of the Complaint and, on that basis, denies those allegations.

797. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 797 of the Complaint and, on that basis, denies those allegations.

798. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 798 of the Complaint and, on that basis, denies those allegations.

799. Smith's denies the allegations in Paragraph 799 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 799 and, on that basis, denies those allegations.

800. Smith's denies the allegations in Paragraph 800 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 800 and, on that basis, denies those allegations.

801. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 801 of the Complaint and, on that basis, denies those allegations.

802. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 802 of the Complaint and, on that basis, denies those allegations.

803. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 803 of the Complaint and, on that basis, denies those allegations.

804. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 804 of the Complaint and, on that basis, denies those allegations.

805. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 805 of the Complaint and, on that basis, denies those allegations.

806. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 806 of the Complaint and, on that basis, denies those allegations.

807. Smith's denies the allegations in Paragraph 807 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 807 and, on that basis, denies those allegations.

808. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 808 of the Complaint and, on that basis, denies those allegations.

809. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 809 of the Complaint and, on that basis, denies those allegations.

810. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 810 of the Complaint and, on that basis, denies those allegations.

811. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 811 of the Complaint and, on that basis, denies those allegations.

812. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 812 of the Complaint and, on that basis, denies those allegations.

813. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 813 of the Complaint and, on that basis, denies those allegations.

814. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 814 of the Complaint and, on that basis, denies those allegations.

815. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 815 of the Complaint and, on that basis, denies those allegations.

816. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 816 of the Complaint and, on that basis, denies those allegations.

817. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 817 of the Complaint and, on that basis, denies those allegations.

818. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 818 of the Complaint and, on that basis, denies those allegations.

819. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 819 of the Complaint and, on that basis, denies those allegations.

820. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 820 of the Complaint and, on that basis, denies those allegations.

821. Smith's denies the allegations in Paragraph 821 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 821 and, on that basis, denies those allegations.

822. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 822 of the Complaint and, on that basis, denies those allegations.

823. Smith's denies the allegations in Paragraph 823 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 823 and, on that basis, denies those allegations.

824. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 824 of the Complaint and, on that basis, denies those allegations.

825. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 825 of the Complaint and, on that basis, denies those allegations.

826. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 826 of the Complaint and, on that basis, denies those allegations.

827. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 827 of the Complaint and, on that basis, denies those allegations.

828. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

829. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 829 of the Complaint and, on that basis, denies those allegations.

830. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 830 of the Complaint and, on that basis, denies those allegations.

831. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 831 of the Complaint and, on that basis, denies those allegations.

832. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 832 of the Complaint and, on that basis, denies those allegations.

833. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 833 of the Complaint and, on that basis, denies those allegations.

834. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 834 of the Complaint and, on that basis, denies those allegations.

835. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 835 of the Complaint and, on that basis, denies those allegations.

836. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 836 of the Complaint and, on that basis, denies those allegations.

837. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 837 of the Complaint and, on that basis, denies those allegations.

838. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 838 of the Complaint and, on that basis, denies those allegations.

839. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 839 of the Complaint and, on that basis, denies those allegations.

840. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 840 of the Complaint and, on that basis, denies those allegations.

841. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 841 of the Complaint and, on that basis, denies those allegations.

842. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 842 of the Complaint and, on that basis, denies those allegations.

843. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 843 of the Complaint and, on that basis, denies those allegations.

844. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 844 of the Complaint and, on that basis, denies those allegations.

845. Smith's denies the allegations in Paragraph 845 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 845 and, on that basis, denies those allegations.

846. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 846 of the Complaint and, on that basis, denies those allegations.

847. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 847 of the Complaint and, on that basis, denies those allegations.

848. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 848 of the Complaint and, on that basis, denies those allegations.

849. Smith's denies the allegations in Paragraph 849 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 849 and, on that basis, denies those allegations.

850. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 850 of the Complaint and, on that basis, denies those allegations.

851. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 851 of the Complaint and, on that basis, denies those allegations.

852. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 852 of the Complaint and, on that basis, denies those allegations.

853. Smith's denies the allegations in Paragraph 853 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 853 and, on that basis, denies those allegations.

854. Smith's denies the allegations in Paragraph 854 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 854 and, on that basis, denies those allegations.

855. Smith's denies the allegations in Paragraph 855 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 855 and, on that basis, denies those allegations.

856. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

857. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 857 of the Complaint and, on that basis, denies those allegations.

858. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 858 of the Complaint and, on that basis, denies those allegations.

859. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 859 of the Complaint and, on that basis, denies those allegations.

860. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 860 of the Complaint and, on that basis, denies those allegations.

861. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 861 of the Complaint and, on that basis, denies those allegations.

862. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 862 of the Complaint and, on that basis, denies those allegations.

863. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 863 of the Complaint and, on that basis, denies those allegations.

864. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 864 of the Complaint and, on that basis, denies those allegations.

865. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 865 of the Complaint and, on that basis, denies those allegations.

866. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 866 of the Complaint and, on that basis, denies those allegations.

867. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 867 of the Complaint and, on that basis, denies those allegations.

868. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 868 of the Complaint and, on that basis, denies those allegations.

869. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 869 of the Complaint and, on that basis, denies those allegations.

870. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 870 of the Complaint and, on that basis, denies those allegations.

871. Smith's denies the allegations in Paragraph 871 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 871 and, on that basis, denies those allegations.

872. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 872 of the Complaint and, on that basis, denies those allegations.

873. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 873 of the Complaint and, on that basis, denies those allegations.

874. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 874 of the Complaint and, on that basis, denies those allegations.

875. Smith's denies the allegations in Paragraph 875 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 875 and, on that basis, denies those allegations.

876. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 876 of the Complaint and, on that basis, denies those allegations.

877. Smith's denies the allegations in Paragraph 877 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 877 and, on that basis, denies those allegations.

878. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 878 of the Complaint and, on that basis, denies those allegations.

879. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 879 of the Complaint and, on that basis, denies those allegations.

880. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 880 of the Complaint and, on that basis, denies those allegations.

881. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 881 of the Complaint and, on that basis, denies those allegations.

882. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 882 of the Complaint and, on that basis, denies those allegations.

883. Smith's denies the allegations in Paragraph 883 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 883 and, on that basis, denies those allegations.

884. Smith's denies the allegations in Paragraph 884 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 884 and, on that basis, denies those allegations.

885. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 885 of the Complaint and, on that basis, denies those allegations.

886. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 886 of the Complaint and, on that basis, denies those allegations.

887. Smith's denies the allegations in Paragraph 887 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 887 and, on that basis, denies those allegations.

888. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

889. Paragraph 889 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 889 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 889 and, on that basis, denies those allegations.

890. Paragraph 890 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 890 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 890 and, on that basis, denies those allegations.

891. Paragraph 891 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 891 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 891 and, on that basis, denies those allegations.

892. Smith's denies the allegations in Paragraph 892 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 892 and, on that basis, denies those allegations.

893. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 893 of the Complaint and, on that basis, denies those allegations.

894. Smith's denies the allegations in Paragraph 894 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 894 and, on that basis, denies those allegations.

895. Smith's denies the allegations in Paragraph 895 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 895 and, on that basis, denies those allegations.

896. Smith's denies the allegations in Paragraph 896 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 896 and, on that basis, denies those allegations.

897. Paragraph 897 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 897 directed at Smith's, and is without knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 897 and, on that basis, denies those allegations.

898. Smith's denies the allegations in Paragraph 898 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 898 and, on that basis, denies those allegations.

899. Smith's denies the allegations in Paragraph 899 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 899 and, on that basis, denies those allegations.

900. Smith's denies the allegations in Paragraph 900 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 900 and, on that basis, denies those allegations.

901. Smith's denies the allegations in Paragraph 901 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 901 and, on that basis, denies those allegations.

902. Smith's denies the allegations in Paragraph 902 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 902 and, on that basis, denies those allegations.

903. Smith's denies the allegations in Paragraph 903 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 903 and, on that basis, denies those allegations.

904. Smith's denies the allegations in Paragraph 904 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 904 and, on that basis, denies those allegations.

905. Smith's denies the allegations in Paragraph 905 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 905 and, on that basis, denies those allegations.

906. Smith's denies the allegations in Paragraph 906 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 906 and, on that basis, denies those allegations.

907. Paragraph 907 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 907 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 907 and, on that basis, denies those allegations.

908. Smith's denies the allegations in Paragraph 908 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 908 and, on that basis, denies those allegations.

909. Paragraph 909 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 909 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 909 and, on that basis, denies those allegations.

910. Smith's denies the allegations in Paragraph 910 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 910 and, on that basis, denies those allegations.

911. Smith's denies the allegations in Paragraph 911 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 911 and, on that basis, denies those allegations.

912. Smith's denies the allegations in Paragraph 912 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 912 and, on that basis, denies those allegations.

913. Paragraph 913 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 913 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 913 and, on that basis, denies those allegations.

914. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

915. Smith's denies the allegations in Paragraph 915 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 915 and, on that basis, denies those allegations.

916. Paragraph 916 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 916 directed at Smith's, and is without knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 916 and, on that basis, denies those allegations.

917. Smith's denies the allegations in Paragraph 917 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 917 and, on that basis, denies those allegations.

918. Smith's denies the allegations in Paragraph 918 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 918 and, on that basis, denies those allegations.

919. Paragraph 919 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 919 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 919 and, on that basis, denies those allegations.

920. Paragraph 920 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 920 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 920 and, on that basis, denies those allegations.

921. Paragraph 921 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 921 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 921 and, on that basis, denies those allegations.

922. Smith's denies the allegations in Paragraph 922 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 922 and, on that basis, denies those allegations.

923. Smith's denies the allegations in Paragraph 923 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 923 and, on that basis, denies those allegations.

924. Smith's denies the allegations in Paragraph 924 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 924 and, on that basis, denies those allegations.

925. Smith's denies the allegations in Paragraph 925 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 925 and, on that basis, denies those allegations.

926. Smith's denies the allegations in Paragraph 926 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 926 and, on that basis, denies those allegations.

927. Smith's denies the allegations in Paragraph 927 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 927 and, on that basis, denies those allegations.

928. Smith's denies the allegations in Paragraph 928 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 928 and, on that basis, denies those allegations.

929. Smith's denies the allegations in Paragraph 929 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 929 and, on that basis, denies those allegations.

930. Smith's denies the allegations in Paragraph 930 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 930 and, on that basis, denies those allegations.

931. Smith's denies the allegations in Paragraph 931 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 931 and, on that basis, denies those allegations.

932. Smith's denies the allegations in Paragraph 932 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 932 and, on that basis, denies those allegations.

933. Smith's denies the allegations in Paragraph 933 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 933 and, on that basis, denies those allegations.

934. Smith's denies the allegations in Paragraph 934 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 934 and, on that basis, denies those allegations.

935. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 935 of the Complaint and, on that basis, denies those allegations.

936. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 936 of the Complaint and, on that basis, denies those allegations.

937. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 937 of the Complaint and, on that basis, denies those allegations.

938. Smith's admits that it sells prescription drugs, including opioids, which have properties that are defined under federal and state law, denies the remaining allegations asserted against it, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 938 and, on that basis, denies those allegations.

939. Smith's denies the allegations in Paragraph 939 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 939 and, on that basis, denies those allegations.

940. Smith's denies the allegations in Paragraph 940 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 940 and, on that basis, denies those allegations.

941. Paragraph 941 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 941 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 941 and, on that basis, denies those allegations.

942. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 942 of the Complaint and, on that basis, denies those allegations.

943. Smith's denies the allegations in Paragraph 943 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 943 and, on that basis, denies those allegations.

944. Smith's denies the allegations in Paragraph 944 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 944 and, on that basis, denies those allegations.

945. Smith's denies the allegations in Paragraph 945 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 945 and, on that basis, denies those allegations.

946. Smith's denies the allegations in Paragraph 946 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 946 and, on that basis, denies those allegations.

947. Smith's denies the allegations in Paragraph 947 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 947 and, on that basis, denies those allegations.

948. Smith's denies the allegations in Paragraph 948 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 948 and, on that basis, denies those allegations.

949. Smith's denies the allegations in Paragraph 949 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 949 and, on that basis, denies those allegations.

950. Smith's denies the allegations in Paragraph 950 of the Complaint.

951. Smith's denies the allegations in Paragraph 951 of the Complaint.

952. Smith's denies the allegations in Paragraph 952 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 952 and, on that basis, denies those allegations.

953. Smith's denies the allegations in Paragraph 953 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 953 and, on that basis, denies those allegations.

954. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 954 of the Complaint and, on that basis, denies those allegations.

955. Smith's denies the allegations in Paragraph 955 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 955 and, on that basis, denies those allegations.

956. Smith's denies the allegations in Paragraph 956 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 956 and, on that basis, denies those allegations.

957. Smith's denies the allegations in Paragraph 957 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 957 and, on that basis, denies those allegations.

958. Smith's denies the allegations in Paragraph 958 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 958 and, on that basis, denies those allegations.

959. Smith's denies the allegations in Paragraph 959 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 959 and, on that basis, denies those allegations.

960. Smith's denies the allegations in Paragraph 960 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 960 and, on that basis, denies those allegations.

961. Paragraph 961 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 961 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 961 and, on that basis, denies those allegations.

962. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

963. Paragraph 963 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 963 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 963 and, on that basis, denies those allegations.

964. Paragraph 964 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 964 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 964 and, on that basis, denies those allegations.

965. Paragraph 965 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 965 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 965 and, on that basis, denies those allegations.

966. Smith's denies the allegations in Paragraph 966 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 966 and, on that basis, denies those allegations.

967. Smith's denies the allegations in Paragraph 967 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 967 and, on that basis, denies those allegations.

968. Smith's denies the allegations in Paragraph 968 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 968 and, on that basis, denies those allegations.

969. Smith's denies the allegations in Paragraph 969 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 969 and, on that basis, denies those allegations.

970. Smith's denies the allegations in Paragraph 970 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 970 and, on that basis, denies those allegations.

971. Smith's denies the allegations in Paragraph 971 of the Complaint.

972. Smith's denies the allegations in Paragraph 972 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 972 and, on that basis, denies those allegations.

973. Smith's denies the allegations in Paragraph 973 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 973 and, on that basis, denies those allegations.

974. Smith's denies the allegations in Paragraph 974 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 974 and, on that basis, denies those allegations.

975. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

976. Smith's denies the allegations in Paragraph 976 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 976 and, on that basis, denies those allegations.

977. Paragraph 977 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and

Smith's denies the allegations in Paragraph 977 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 977 and, on that basis, denies those allegations.

978. Paragraph 978 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 978 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 978 and, on that basis, denies those allegations.

979. Paragraph 979 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 979 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 979 and, on that basis, denies those allegations.

980. Paragraph 980 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 980 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 980 and, on that basis, denies those allegations.

981. Smith's denies the allegations in Paragraph 981 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 981 and, on that basis, denies those allegations.

982. Paragraph 982 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and

Smith's denies the allegations in Paragraph 982 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 982 and, on that basis, denies those allegations.

983. Paragraph 983 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 983 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 983 and, on that basis, denies those allegations.

984. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 984 of the Complaint and, on that basis, denies those allegations.

985. Smith's denies the allegations in Paragraph 985 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 985 and, on that basis, denies those allegations.

986. Smith's denies the allegations in Paragraph 986 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 986 and, on that basis, denies those allegations.

987. Smith's denies the allegations in Paragraph 987 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 987 and, on that basis, denies those allegations.

988. Smith's denies the allegations in Paragraph 988 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 988 and, on that basis, denies those allegations.

989. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 989 of the Complaint and, on that basis, denies those allegations.

990. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 990 of the Complaint and, on that basis, denies those allegations.

991. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 991 of the Complaint and, on that basis, denies those allegations.

992. Smith's denies the allegations in Paragraph 992 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 992 and, on that basis, denies those allegations.

993. Smith's denies the allegations in Paragraph 993 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 993 and, on that basis, denies those allegations.

994. Smith's denies the allegations in Paragraph 994 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 994 and, on that basis, denies those allegations.

995. Smith's denies the allegations in Paragraph 995 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 995 and, on that basis, denies those allegations.

996. Paragraph 996 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and

Smith's denies the allegations in Paragraph 996 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 996 and, on that basis, denies those allegations.

997. Paragraph 997 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 997 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 997 and, on that basis, denies those allegations.

998. Smith's admits that it has certain responsibilities and duties under state and federal law, denies that it breached any such duties, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 998 and, on that basis, denies those allegations.

999. Smith's denies the allegations in Paragraph 999 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 999 and, on that basis, denies those allegations.

1000. Smith's denies the allegations in Paragraph 1000 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1000 and, on that basis, denies those allegations.

1001. Smith's denies the allegations in Paragraph 1001 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1001 and, on that basis, denies those allegations.

1002. Smith's denies the allegations in Paragraph 1002 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1002 and, on that basis, denies those allegations.

1003. Smith's admits that it sells prescription drugs, including opioids, that it has certain duties and obligations under state and federal law, denies that it breached any such duties, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1003 and, on that basis, denies those allegations.

1004. Smith's denies the allegations in Paragraph 1004 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1004 and, on that basis, denies those allegations.

1005. Smith's denies the allegations in Paragraph 1005 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1005 and, on that basis, denies those allegations.

1006. Paragraph 1006 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 1006 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1006 and, on that basis, denies those allegations.

1007. Smith's denies the allegations in Paragraph 1007 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1007 and, on that basis, denies those allegations.

1008. Paragraph 1008 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and

Smith's denies the allegations in Paragraph 1008 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1008 and, on that basis, denies those allegations.

1009. Paragraph 1009 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1009 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1009 and, on that basis, denies those allegations.

1010. Paragraph 1010 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1010 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1010 and, on that basis, denies those allegations.

1011. Paragraph 1011 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1011 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1011 and, on that basis, denies those allegations.

1012. Paragraph 1012 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1012 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1012 and, on that basis, denies those allegations.

1013. Smith's denies the allegations in Paragraph 1013 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1013 and, on that basis, denies those allegations.

1014. Smith's denies the allegations in Paragraph 1014 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1014 and, on that basis, denies those allegations.

1015. Paragraph 1015 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 1015 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1015 and, on that basis, denies those allegations.

1016. Smith's denies the allegations in Paragraph 1016 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1016 and, on that basis, denies those allegations.

1017. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1017 of the Complaint and, on that basis, denies those allegations.

1018. Smith's denies the allegations in Paragraph 1018 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1018 and, on that basis, denies those allegations.

1019. Smith's denies the allegations in Paragraph 1019 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1019 and, on that basis, denies those allegations.

1020. Smith's denies the allegations in Paragraph 1020 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1020 and, on that basis, denies those allegations.

1021. Smith's denies the allegations in Paragraph 1021 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1021 and, on that basis, denies those allegations.

1022. Smith's denies the allegations in Paragraph 1022 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1022 and, on that basis, denies those allegations.

1023. Smith's denies the allegations in Paragraph 1023 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1023 and, on that basis, denies those allegations.

1024. Smith's denies the allegations in Paragraph 1024 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1024 and, on that basis, denies those allegations.

1025. Smith's denies the allegations in Paragraph 1025 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1025 and, on that basis, denies those allegations.

1026. Smith's denies the allegations in Paragraph 1026 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1026 and, on that basis, denies those allegations.

1027. Smith's denies the allegations in Paragraph 1027 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1027 and, on that basis, denies those allegations.

1028. Smith's denies the allegations in Paragraph 1028 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1028 and, on that basis, denies those allegations.

1029. Smith's denies the allegations in Paragraph 1029 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1029 and, on that basis, denies those allegations.

1030. Paragraph 1030 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 1030 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1030 and, on that basis, denies those allegations.

1031. Smith's denies the allegations in Paragraph 1031 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1031 and, on that basis, denies those allegations.

1032. Smith's denies the allegations in Paragraph 1032 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1032 and, on that basis, denies those allegations.

1033. Smith's denies the allegations in Paragraph 1033 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1033 and, on that basis, denies those allegations.

1034. Smith's denies the allegations in Paragraph 1034 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1034 and, on that basis, denies those allegations.

1035. Smith's denies the allegations in Paragraph 1035 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1035 and, on that basis, denies those allegations.

1036. Smith's denies the allegations in Paragraph 1036 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1036 and, on that basis, denies those allegations.

1037. Paragraph 1037 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1037 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1037 and, on that basis, denies those allegations.

1038. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1038 of the Complaint and, on that basis, denies those allegations.

1039. Smith's denies the allegations in Paragraph 1039 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1039 and, on that basis, denies those allegations.

1040. Smith's denies the allegations in Paragraph 1040 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1040 and, on that basis, denies those allegations.

1041. Smith's denies the allegations in Paragraph 1041 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1041 and, on that basis, denies those allegations.

1042. Smith's denies the allegations in Paragraph 1042 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1042 and, on that basis, denies those allegations.

1043. Smith's denies the allegations in Paragraph 1043 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1043 and, on that basis, denies those allegations.

1044. Smith's denies the allegations in Paragraph 1044 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1044 and, on that basis, denies those allegations.

1045. Smith's denies the allegations in Paragraph 1045 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1045 and, on that basis, denies those allegations.

1046. Smith's denies the allegations in Paragraph 1046 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1046 and, on that basis, denies those allegations.

1047. Smith's denies the allegations in Paragraph 1047 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1047 and, on that basis, denies those allegations.

1048. Smith's denies the allegations in Paragraph 1048 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1048 and, on that basis, denies those allegations.

1049. Smith's denies the allegations in Paragraph 1049 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1049 and, on that basis, denies those allegations.

1050. Smith's denies the allegations in Paragraph 1050 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1050 and, on that basis, denies those allegations.

1051. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

1052. Smith's denies the allegations in Paragraph 1052 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1052 and, on that basis, denies those allegations.

1053. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1053 of the Complaint and, on that basis, denies those allegations.

1054. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1054 of the Complaint and, on that basis, denies those allegations.

1055. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1055 of the Complaint and, on that basis, denies those allegations.

1056. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1056 of the Complaint and, on that basis, denies those allegations.

1057. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1057 of the Complaint and, on that basis, denies those allegations.

1058. Smith's denies the allegations in Paragraph 1058 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1058 and, on that basis, denies those allegations.

1059. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1059 of the Complaint and, on that basis, denies those allegations.

1060. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1060 of the Complaint and, on that basis, denies those allegations.

1061. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1061 of the Complaint and, on that basis, denies those allegations.

1062. Smith's denies the allegations in Paragraph 1062 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1062 and, on that basis, denies those allegations.

1063. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1063 of the Complaint and, on that basis, denies those allegations.

1064. Smith's denies the allegations in Paragraph 1064 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1064 and, on that basis, denies those allegations.

1065. Smith's denies the allegations in Paragraph 1065 of the Complaint.

1066. Smith's denies the allegations in Paragraph 1066 of the Complaint.

1067. Smith's denies the allegations in Paragraph 1067 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1067 and, on that basis, denies those allegations.

1068. Smith's denies the allegations in Paragraph 1068 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1068 and, on that basis, denies those allegations.

1069. Smith's denies the allegations in Paragraph 1069 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or

information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1069 and, on that basis, denies those allegations.

1070. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

1071. Smith's denies the allegations in Paragraph 1071 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1071 and, on that basis, denies those allegations.

1072. Smith's denies the allegations in Paragraph 1072 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1072 and, on that basis, denies those allegations.

1073. Paragraph 1073 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1073 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1073 and, on that basis, denies those allegations

1074. Smith's denies the allegations in Paragraph 1074 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1074 and, on that basis, denies those allegations.

1075. Smith's denies the allegations in Paragraph 1075 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations

1076. Smith's denies the allegations in Paragraph 1076 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1076 and, on that basis, denies those allegations.

1077. Smith's denies the allegations in Paragraph 1077 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1077 and, on that basis, denies those allegations.

1078. Smith's denies the allegations in Paragraph 1078 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1078 and, on that basis, denies those allegations.

1079. Smith's denies the allegations in Paragraph 1079 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1079 and, on that basis, denies those allegations.

1080. Smith's denies the allegations in Paragraph 1080 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1080 and, on that basis, denies those allegations.

1081. Smith's denies the allegations in Paragraph 1081 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1081 and, on that basis, denies those allegations.

1082. Smith's denies the allegations in Paragraph 1082 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1082 and, on that basis, denies those allegations.

1083. Smith's denies the allegations in Paragraph 1083 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1083 and, on that basis, denies those allegations.

1084. Smith's denies the allegations in Paragraph 1084 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1084 and, on that basis, denies those allegations.

1085. Smith's denies the allegations in Paragraph 1085 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations

1086. Smith's denies the allegations in Paragraph 1086 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1086 and, on that basis, denies those allegations.

1087. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

1088. Smith's denies the allegations in Paragraph 1088 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1088 and, on that basis, denies those allegations.

1089. Smith's denies the allegations in Paragraph 1089 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1089 and, on that basis, denies those allegations.

1090. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1090 of the Complaint and, on that basis, denies those allegations.

1091. Smith's denies the allegations in Paragraph 1091 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1091 and, on that basis, denies those allegations.

1092. Smith's denies the allegations in Paragraph 1092 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1092 and, on that basis, denies those allegations.

1093. Smith's denies the allegations in Paragraph 1093 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1093 and, on that basis, denies those allegations.

1094. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1094 of the Complaint and, on that basis, denies those allegations.

1095. Smith's denies the allegations in Paragraph 1095 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1095 and, on that basis, denies those allegations.

1096. Smith's denies the allegations in Paragraph 1096 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1096 and, on that basis, denies those allegations.

1097. Smith's denies the allegations in Paragraph 1097 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1097 and, on that basis, denies those allegations.

1098. Smith's denies the allegations in Paragraph 1098 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1098 and, on that basis, denies those allegations.

1099. Smith's denies the allegations in Paragraph 1099 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1099 and, on that basis, denies those allegations.

1100. Smith's denies the allegations in Paragraph 1100 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1100 and, on that basis, denies those allegations.

1101. Smith's denies the allegations in Paragraph 1101 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1101 and, on that basis, denies those allegations.

1102. Smith's denies the allegations in Paragraph 1102 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1102 and, on that basis, denies those allegations.

1103. Smith's denies the allegations in Paragraph 1103 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1103 and, on that basis, denies those allegations.

1104. Smith's denies the allegations in Paragraph 1104 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1104 and, on that basis, denies those allegations.

1105. Smith's denies the allegations in Paragraph 1105 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1105 and, on that basis, denies those allegations.

1106. Smith's denies the allegations in Paragraph 1106 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1106 and, on that basis, denies those allegations.

1107. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

1108. Paragraph 1108 states a legal principle to which no response is required. To the extent a response is required, Smith's states that the legal principle speaks for itself, and Smith's denies the allegations in Paragraph 1108 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1108 and, on that basis, denies those allegations.

1109. Smith's denies the allegations in Paragraph 1109 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1109 and, on that basis, denies those allegations.

1110. Smith's denies the allegations in Paragraph 1110 of the Complaint.

1111. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1111 of the Complaint and, on that basis, denies those allegations.

1112. Smith's is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1112 of the Complaint and, on that basis, denies those allegations.

1113. Smith's denies the allegations in Paragraph 1113 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1113 and, on that basis, denies those allegations.

1114. Smith's denies the allegations in Paragraph 1114 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1114 and, on that basis, denies those allegations.

1115. Paragraph 1115 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 1115 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1115 and, on that basis, denies those allegations.

1116. Paragraph 1116 states a legal conclusion to which no response is required. To the extent a response is required, Smith's states that the legal conclusion speaks for itself, and Smith's denies the allegations in Paragraph 1116 directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1116 and, on that basis, denies those allegations.

1117. Smith's denies the allegations in Paragraph 1117 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1117 and, on that basis, denies those allegations.

1118. Smith's denies the allegations in Paragraph 1118 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1118 and, on that basis, denies those allegations.

1119. Smith's denies the allegations in Paragraph 1119 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1119 and, on that basis, denies those allegations.

1120. Smith's reasserts its responses to all prior paragraphs of this Complaint as if fully set forth herein.

1121. Smith's denies the allegations in Paragraph 1121 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1121 and, on that basis, denies those allegations.

1122. Smith's denies the allegations in Paragraph 1122 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1122 and, on that basis, denies those allegations.

1123. Smith's denies the allegations in Paragraph 1123 of the Complaint directed at Smith's, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1123 and, on that basis, denies those allegations.

1124. Smith's denies the allegations in Paragraph 1124 of the Complaint, denies that it is liable for any form of damages or relief to the Plaintiff, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1124 and, on that basis, denies those allegations.

AFFIRMATIVE DEFENSES

Having answered the allegations of Plaintiff's Complaint, and having denied any liability whatsoever, Smith's further denies any allegations that have not been expressly admitted and sets forth below its defenses. By setting forth these defenses, Smith's does not assume the burden of proving any fact, issue, or element of a cause of action where such burden properly belongs to Plaintiff. Moreover, Smith's does not intend these defenses to be, nor shall they be construed as, an acknowledgement that any particular issue or subject matter is relevant to Plaintiff's allegations. Smith's does not admit or acknowledge that it bears the burden of proof or burden of persuasion with respect to any such defense. Upon completion of discovery, if the facts warrant, Smith's may withdraw any of these defenses as may be appropriate. Smith's reserves the right to (i) rely on any other applicable defenses set forth in any Answer or listing of affirmative defenses of any other defendant in this Action, (ii) rely on any other defenses that may become apparent during fact or expert discovery in this matter, and (iii) to amend its Answer to assert any such defenses.

First Affirmative Defense

The Complaint fails to state a claim upon which relief can be granted.

Second Affirmative Defense

This Court lacks subject matter jurisdiction over all or some of the claims asserted by the Plaintiff.

Third Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the political question and separation of powers doctrine and because its state-law claims implicate issues of statewide importance that are reserved for state regulation.

Fourth Affirmative Defense

The Plaintiff lacks standing to assert all or some of their claims in this lawsuit.

Fifth Affirmative Defense

Plaintiff's claims are barred by the voluntary payment doctrine.

Sixth Affirmative Defense

Plaintiff's claims are barred by the doctrine of unclean hands.

Seventh Affirmative Defense

Plaintiff's claims are barred by the doctrine of *in pari delicto*.

Eighth Affirmative Defense

Plaintiff's claims are not ripe and/or have been mooted.

Ninth Affirmative Defense

Plaintiff's claims and damages are barred or limited, in whole or in part, by common law, statutory, and state constitutional constraints on the exercise of police powers.

Tenth Affirmative Defense

Plaintiff's claims are barred because Plaintiff is not the real party in interest.

Eleventh Affirmative Defense

Plaintiff's claims are subject to all defenses that could be asserted if Plaintiff's claims were properly made by individuals on whose behalf Plaintiff seeks to recover.

Twelfth Affirmative Defense

Any injuries and/or damages sustained by Plaintiff may have been caused or contributed to by the negligence or actual conduct of Plaintiff and/or other persons, firms, corporations, or entities over whom Smith's had no control or right of control and for whom it is not responsible.

Thirteenth Affirmative Defense

A specific percentage of the tortious conduct that proximately caused the injury or loss to person or property is attributable to (i) the Plaintiff, (ii) other parties from whom Plaintiff seeks recovery, and (iii) persons from whom Plaintiff does not seek recovery in this action, including, but not limited to, prescribing practitioners, non-party pharmacies and pharmacists, individuals and entities involved in diversion and distribution of prescription opioids, individuals and entities involved in import, distribution, and sale of illegal opioids, individuals involved in procuring diverted prescription opioids and/or illegal drugs, delivery services, federal, state, and local government entities, and health insurers and pharmacy benefit managers. Mont. Code Ann. § 27-1-220(3).

Fourteenth Affirmative Defense

Any verdict or judgment that might be recovered by Plaintiff must be reduced by those amounts that have already indemnified or, with reasonable certainty, will indemnify Plaintiff, in whole or in part, for any past or future claimed economic loss from any collateral source or any other applicable law.

Fifteenth Affirmative Defense

Any damages that Plaintiff may recover against Smith's must be reduced to the extent that Plaintiff is seeking damages for alleged injuries or expenses related to the same user(s) of the subject drugs, or damages recovered or recoverable by other actual or potential plaintiffs. Any damages that Plaintiff may recover against Smith's must be reduced to the extent they unjustly enrich Plaintiff.

Sixteenth Affirmative Defense

Plaintiff has failed to comply with the requirement that they identify each patient in whose claim(s) they have a subrogation interest and on whose behalf they have incurred costs.

Seventeenth Affirmative Defense

Plaintiff fails to plead that it reimbursed any prescriptions for any opioid sold by Smith's that harmed patients and should not have been written, or that Smith's allegedly improper conduct caused any health care provider to write any ineffective or harmful opioid prescriptions, or that any specific prescription was unauthorized, medically unnecessary, ineffective, or harmful.

Eighteenth Affirmative Defense

Plaintiff's claims against Smith's do not arise from the same transactions or occurrences as their claims against other defendants, as required for joinder of parties.

Nineteenth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the doctrines of superseding and intervening causation.

Twentieth Affirmative Defense

Venue may be improper and/or inconvenient in this Court.

Twenty-First Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because Smith's has no legal duty to protect Plaintiff from the intentional criminal acts of third persons. Such criminal acts are superseding causes that extinguish any liability.

Twenty-Second Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because their alleged injuries or damages were due to illicit use or abuse of medications.

Twenty-Third Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because the derivative injury rule and the remoteness doctrine bars Plaintiff from recovering payments that it allegedly made on behalf of its residents to reimburse any expenses for health care, pharmaceutical care, and other public services.

Twenty-Fourth Affirmative Defense

The Plaintiff does not have authority to bring these claims.

Twenty-Fifth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, to the extent that they violate the Dormant Commerce Clause of the United States Constitution.

Twenty-Sixth Affirmative Defense

The Complaint fails to state a claim against Smith's because Plaintiff cannot establish a right common to the general public with which Smith's unreasonably interfered.

Twenty-Seventh Affirmative Defense

Smith's did not owe or breach any statutory or common law duty to Plaintiff.

Twenty-Eighth Affirmative Defense

Smith's appropriately, completely, and fully performed and discharged any and all obligations and legal duties arising out of the matters alleged in the Complaint.

Twenty-Ninth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because Smith's complied at all relevant times with all applicable laws, including all legal and regulatory duties.

Thirtieth Affirmative Defense

Plaintiff's claims are barred to the extent they are based on alleged violations of industry customs because purported industry customs do not create legal duties on Smith's.

Thirty-First Affirmative Defense

Smith's is not a Wholesale Distributor as alleged in the Complaint and, hence, the Complaint is premised on a mistaken allegations against Smith's and should be dismissed against Smith's for that reason.

Thirty-Second Affirmative Defense

Smith's raises the Learned Intermediary Defense to the extent applicable, based on the allegations against Smith's, because Smith's fills valid prescriptions written by a physician acting in the capacity of a learned intermediary.

Thirty-Third Affirmative Defense

Any and all of the injuries or damages suffered by Plaintiff resulted solely from conduct and/or conditions for which Smith's is not responsible and for which it cannot be held liable.

Thirty-Fourth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because the harm alleged was proximately caused by the negligence, gross negligence, or intentional and malicious acts of intervening third-parties not under Smith's' control, including, without limitation, pre-existing medical conditions.

Thirty-Fifth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because their alleged injuries or damages were caused by the misuse of the medications involved, by failure to use the medications properly, and/or by the alteration, modification, or criminal misuse of medications prescribed by third parties over whom Smith's had no control.

Thirty-Sixth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because neither the users of the subject prescription medications nor their prescribers relied to their detriment upon any statement by Smith's in determining to use or prescribe the subject prescription medications.

Thirty-Seventh Affirmative Defense

Plaintiff's claims against Smith's are misjoined with Plaintiff's claims against other defendants and must be severed.

Thirty-Eighth Affirmative Defense

Plaintiff's claims against Smith's are barred because Smith's has complied with all applicable laws or regulations of the federal government and the State of Montana.

Thirty-Ninth Affirmative Defense

Plaintiff's claims against Smith's are barred, in whole or in part, by the doctrines of laches, estoppel and waiver.

Fortieth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by Plaintiff's comparative or contributory fault including without limitation, on information and belief, its failure to:

- a. develop and implement adequate policies and procedures to license and monitor physicians and other professionals prescribing the controlled substances at issue in the Complaint, and to discipline or terminate the licenses of those issuing prescriptions for other than legitimate purposes;
- b. develop and implement adequate policies and procedures to license, monitor and inspect pain management clinics prescribing the controlled substances at issue in the Complaint, and to discipline or terminate the licenses of those issuing prescriptions for other than legitimate purposes;
- c. develop and implement adequate policies and procedures to license, monitor and inspect pharmacies, pharmacists and other dispensers to ensure that they filled only legitimate prescriptions for controlled substances at issue in the Complaint, and to discipline or terminate the

licenses of those dispensing such prescription drugs for other than legitimate purposes;

- d. develop and mandate use of an effective controlled substance monitoring database to identify rogue pharmacies, other dispensers and doctors, and drug abusers and take appropriate action against them;
- e. develop, implement and adequately fund prescription drug abuse prevention and treatment programs;
- f. develop, implement and adequately fund programs to address homelessness within the relevant Counties in Montana;
- g. adequately fund mental and behavioral health services throughout the relevant Counties in Montana;
- h. adequately police the illicit diversion and consumption of prescription medications, and to enforce the Montana Controlled Substances Act, the Montana Pharmacy Policy Act and regulations promulgated thereunder.

Forty-First Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because Plaintiff failed to join one or more indispensable parties.

Forty-Second Affirmative Defense

Plaintiff's claims against Smith's are barred, in whole or in part, by the applicable statutes of limitations and repose.

Forty-Third Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because they violate the *Ex Post Facto* clauses of Article I of the United States Constitution and Articles 3-4 of the Montana Constitution, insofar as Plaintiff seeks to impose liability retroactively for conduct that was not actionable at the time it occurred.

Forty-Fourth Affirmative Defense

Recovery from Smith's is barred, in whole or in part, by the free public services doctrine.

Forty-Fifth Affirmative Defense

Plaintiff's claims against Smith's are barred, in whole or in part, by the economic loss and/or municipal cost recovery doctrine.

Forty-Sixth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the Due Process Clause of the Fifth and Fourteenth Amendments to the United States Constitution and Article II, Section XVII of the Montana Constitution because substantive due process forbids the retroactive imposition of changing and unclear legal interpretations of the Montana Uniform Controlled Substances Act and its federal counterpart, including, without limitation, the federal Controlled Substances Act and the Food, Drug, and Cosmetic Act ("FDCA").

Forty-Seventh Affirmative Defense

Smith's' rights under the Due Process Clause of the U.S. Constitution and applicable state Constitution or statute are violated by any financial or other arrangement that might distort a government attorney's duty to pursue justice rather than his or her personal interests, financial or otherwise, in the context of a civil enforcement proceeding, including by Plaintiff's use of a contingency fee contract with private counsel.

Forty-Eighth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because federal agencies have exclusive or primary jurisdiction over the matters asserted in the Complaint.

Forty-Ninth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by conflict preemption as set forth in the United States Supreme Court's decisions in *PLIVA, Inc. v. Mensing*, 131 S. Ct. 2567 (2011), and *Mutual Pharm. Co. v. Bartlett*, 133 S. Ct. 2466 (2013).

Fiftieth Affirmative Defense

Plaintiff's claims are preempted insofar as they conflict with Congress's purposes and objectives in enacting relevant federal legislation and authorizing regulations, including the Hatch-Waxman Amendments to the FDCA and implementing regulations. *See Geier v. Am. Honda Co.*, 529 U.S. 861 (2000).

Fifty-First Affirmative Defense

To the extent Plaintiff asserts claims that depend solely on violations of federal law, including any claims with respect to Smith's' compliance with statutes or regulations administered and/or enforced by the DEA, such claims are barred and should be dismissed. *See Buckman Co. v. Plaintiff's Legal Comm.*, 531 U.S. 341 (2001).

Fifty-Second Affirmative Defense

Plaintiff's claims are barred to the extent they are based on any allegations involving failure to provide adequate warnings or information, because all warnings or information that accompanied the allegedly distributed products were approved by the United States Food & Drug Administration for a product approved under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 *et seq.*), as amended, or Section 351, Public Health Service Act (42 U.S.C. § 262), as amended, or the warnings and information provided were those stated in monographs developed by the United States Food & Drug Administration for pharmaceutical products that may be distributed without an approved new drug application.

Fifty-Third Affirmative Defense

To the extent that Plaintiff relies on letters or other informal guidance from the DEA to establish Smith's' regulatory duties, such informal guidance cannot enlarge Smith's' regulatory duties in the absence of compliance by DEA with the requirements by the Administrative Procedure Act, 5 U.S.C. § 551 *et seq.*

Fifty-Fourth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by the Restatement (Second) of Torts § 402A, Comments j and k, and Restatement (Third) of Torts: Products Liability § 6.

Fifty-Fifth Affirmative Defense

Smith's is not liable for any statements in the Manufacturer Defendants' branded or unbranded materials.

Fifty-Sixth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because the State of Montana specifically licensed Smith's to distribute the controlled substances referred to in the Complaint to purchasers with valid prescriptions within the relevant Counties in Montana.

Fifty-Seventh Affirmative Defense

Plaintiff's commencement and prosecution of this action is arbitrary and capricious, and its claims are contrary to the Montana Uniform Controlled Substances Act, Title 50, Chapter 32, and rules and regulations promulgated pursuant to that Act and its federal counterpart.

Fifty-Eighth Affirmative Defense

Plaintiff's claims against Smith's are barred, in whole or in part, because they have suffered no damages because of the matters alleged in the Complaint.

Fifty-Ninth Affirmative Defense

The Plaintiff is not entitled to the asserted damages as they seek as damages the costs they allegedly incurred in providing public services, when there is no express statutory provision establishing such a remedy.

Sixtieth Affirmative Defense

Any injuries and/or damages sustained by Plaintiff were caused, in whole or in part, by their own failure to effectively enforce the law and prosecute violations thereof and any recovery by Plaintiff is barred or, alternatively, should be diminished according to its own fault.

Sixty-First Affirmative Defense

Any recovery by Plaintiff may be barred or limited by the principles of informed consent and assumption of the risk, whether primary, express, or implied.

Sixty-Second Affirmative Defense

Smith's asserts its right to a proportionate reduction, based on the negligence or other conduct of any settling tortfeasor, responsible third party, or Plaintiff, of any damages found against Smith's.

Sixty-Third Affirmative Defense

To the extent that Plaintiff seeks equitable relief against Smith's, Plaintiff is not entitled to such relief because Plaintiff has an adequate remedy at law.

Sixty-Fourth Affirmative Defense

Plaintiff's claims for unjust enrichment are barred because Smith's has not accepted or retained any benefits under circumstances where it would be inequitable for Smith's to do so.

Sixty-Fifth Affirmative Defense

Plaintiff's claims for unjust enrichment are barred because Plaintiff has no authority to bring such claims on behalf of themselves or the citizens of the relevant Counties in Montana.

Sixty-Sixth Affirmative Defense

Plaintiff's claims for unjust enrichment are barred because Plaintiff did not pay Smith's any of the amounts sought.

Sixty-Seventh Affirmative Defense

Plaintiff's nuisance claims are barred to the extent that they lack the statutory authority to bring a nuisance claim under Montana law.

Sixty-Eighth Affirmative Defense

Plaintiff's claim of public nuisance is barred or limited because no action of Smith's involved interference with real property; illegal conduct perpetrated by third parties involving the use of an otherwise legal product does not involve a public right against Smith's sufficient to state a claim for public nuisance; the alleged public nuisance would have impermissible extraterritorial reach; and the alleged conduct of Smith's is too remote from the alleged injury as a matter of law and due process. Mont. Code Ann. § 27-1-719.

Sixty-Ninth Affirmative Defense

To the extent that Plaintiff is alleging fraud, fraudulent concealment, or similar conduct, Plaintiff has failed to plead fraud with sufficient particularity.

Seventieth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because Smith's did not engage in misleading, unfair, actionable misrepresentation, or deceptive conduct.

Seventy-First Affirmative Defense

Plaintiff has not suffered, and will not suffer, any injury to a legally protected or cognizable interest because of the conduct of Smith's as alleged in the Complaint.

Seventy-Second Affirmative Defense

Plaintiff's claims are barred, in whole or in part, by Plaintiff's failure to mitigate damages.

Seventy-Third Affirmative Defense

Plaintiff's claims are barred, in whole or in part, because the claims are speculative, uncertain, hypothetical, and remote; and because of the impossibility of ascertaining and allocating the alleged damages.

Seventy-Fourth Affirmative Defense

Plaintiff's claims are barred to the extent they relate to Smith's' alleged advertising, public statements, lobbying, or other activities protected by the First Amendment to the Constitution of the United States or by the Constitution of the State of Montana.

Seventy-Fifth Affirmative Defense

Plaintiff's claims are barred to the extent they rely, explicitly or implicitly, on a theory of market-share liability.

Seventy-Sixth Affirmative Defense

Plaintiff's claims for injunctive relief are barred because they are punitive in nature.

Seventy-Seventh Affirmative Defense

Plaintiff's claims are barred, reduced, and/or limited pursuant to the applicable Montana statutory and common law regarding limitations of awards, caps on recovery, and setoffs. Mont. Code Ann. § 27-1-220(3).

Seventy-Eighth Affirmative Defense

Plaintiff's claims are barred, reduced, and/or limited to the extent that Smith's is entitled to a credit or setoff for any and all sums Plaintiff has received in the way of any and all settlements.

Seventy-Ninth Affirmative Defense

Plaintiff's Complaint is barred, in whole or in part, by the doctrines of acquiescence, settlement, or release.

Eightieth Affirmative Defense

Smith's liability, if any, will not result from their conduct but is solely the result of an obligation imposed by law and, thus, Smith's is entitled to complete indemnity, express or implied, by other parties.

Eighty-First Affirmative Defense

Plaintiff cannot obtain relief on its claims, based on actions undertaken by Smith's, of which Smith's provided notice of all material facts.

Eighty-Second Affirmative Defense

Smith's asserts all applicable defenses under Federal Rules of Civil Procedure 8(c) and 12(b) and/or Montana Rules of Civil Procedure 8(c) and 12(b), as investigation and discovery proceed.

Eighty-Third Affirmative Defense

Plaintiff's claims for punitive or exemplary damages or other civil penalties are barred or reduced by applicable law or statute or, in the alternative, are unconstitutional insofar as they violate the due process protections afforded by the United States Constitution, the excessive fines clause of the Eighth Amendment of the United States Constitution, the Full Faith and Credit Clause of the United States Constitution, and applicable provisions of the Montana

Constitution. Any law, statute or other authority purporting to permit the recovery of punitive damages or civil penalties in this case is unconstitutional, facially and as applied, to the extent that, without limitation, it: (1) lacks constitutionally sufficient standards to guide and restrain the jury's discretion in determining whether to award punitive damages or civil penalties and/or the amount, if any; (2) is void for vagueness in that it fails to provide adequate advance notice as to what conduct will result in punitive damages or civil penalties; (3) unconstitutionally may permit recovery of punitive damages or civil penalties based on harms to third parties, out-of-state conduct, conduct that complied with applicable law, or conduct that was not directed, or did not proximately cause harm, to Plaintiff; (4) unconstitutionally may permit recovery of punitive damages or civil penalties in an amount that is not both reasonable and proportionate to the amount of harm, if any, to Plaintiff and to the amount of compensatory damages, if any; (5) unconstitutionally may permit jury consideration of net worth or other financial information relating to Defendants; (6) lacks constitutionally sufficient standards to be applied by the trial court in post-verdict review of any award of punitive damages or civil penalties; (7) lacks constitutionally sufficient standards for appellate review of any award of punitive damages or civil penalties; (8) would unconstitutionally impose a penalty, criminal in nature, without according to Defendants the same procedural protections that are accorded to criminal defendants under the constitutions of the United States, this State, and any other state whose laws may apply; and (9) otherwise fails to satisfy Supreme Court precedent, including, without limitation, *Pacific Mut. Life Ins. Co. v. Haslip*, 499 U.S. 1 (1991); *TXO Production Corp. v. Alliance Resources, Inc.*, 509 U.S. 443 (1993); *BMW of N. Am. v. Gore*, 517 U.S. 559 (1996); *State Farm Ins. Co. v. Campbell*, 538 U.S. 408 (2003); and *Philip Morris USA v. Williams*, 549 U.S. 346 (2007).

Eighty-Fourth Affirmative Defense

To the extent that Plaintiff seeks punitive, exemplary, or aggravated damages, any such damages are barred because the products at issue, and their labeling, were subject to and received pre-market approval by the FDA under 52 Stat. 1040, 21 U.S.C. § 301.

Eighty-Fifth Affirmative Defense

Plaintiff's claims for punitive or exemplary damages are barred because Smith's has neither acted nor failed to act in a manner that entitles Plaintiff to recover punitive or exemplary damages.

Eighty-Sixth Affirmative Defense

Plaintiff's claims are barred, in whole or in part, based upon the application of Indian law, including but not limited to the Indian Self-Determination and Education Assistance Act, 5 U.S.C. § 450 et seq.

Eighty-Seventh Affirmative Defense

Smith's adopts by reference any additional applicable defense pled by any other defendants not otherwise pled herein. Smith's hereby gives notice that it intends to rely upon any other additional defense that is available now or may become available or appear during or as a result of the discovery proceedings in this action, and hereby reserves its right to amend its answer to assert such defenses.

PRAYER FOR RELIEF

WHEREFORE, Smith's respectfully asks that this Court:

- A. Dismiss Plaintiff's Complaint, with prejudice, for the reasons set forth in Smith's' Answer;
- B. Award Smith's its costs of litigation, including reasonable attorney and other fees incurred;

C. Grant such other and further relief, including declaratory and equitable relief, as the Court deems appropriate.

Smith's demands a trial by jury.

DATED: July 26, 2019.

**SMITH'S FOOD & DRUG CENTERS,
INC. d/b/a PEYTON'S PHOENIX**

By Counsel

/s/ Ronda L. Harvey

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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

*Blackfeet Tribe of the Blackfeet Indian
Reservation v. Amerisourcebergen Drug
Corporation, et. al.*

Case No. 1:18-op-45749

**MDL No. 2804
Case No. 1:17-md-2804
(Hon. Dan Aaron Polster)**

_____/

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2019, I electronically filed **Smith's Food & Drug Centers, Inc. d/b/a Peyton's Phoenix's Answer to Plaintiff's Corrected First Amended Complaint** with the Clerk of Court and served all counsel of record via the CM/ECF System.

/s/ Ronda L. Harvey
Ronda L. Harvey (WVSB #6326)